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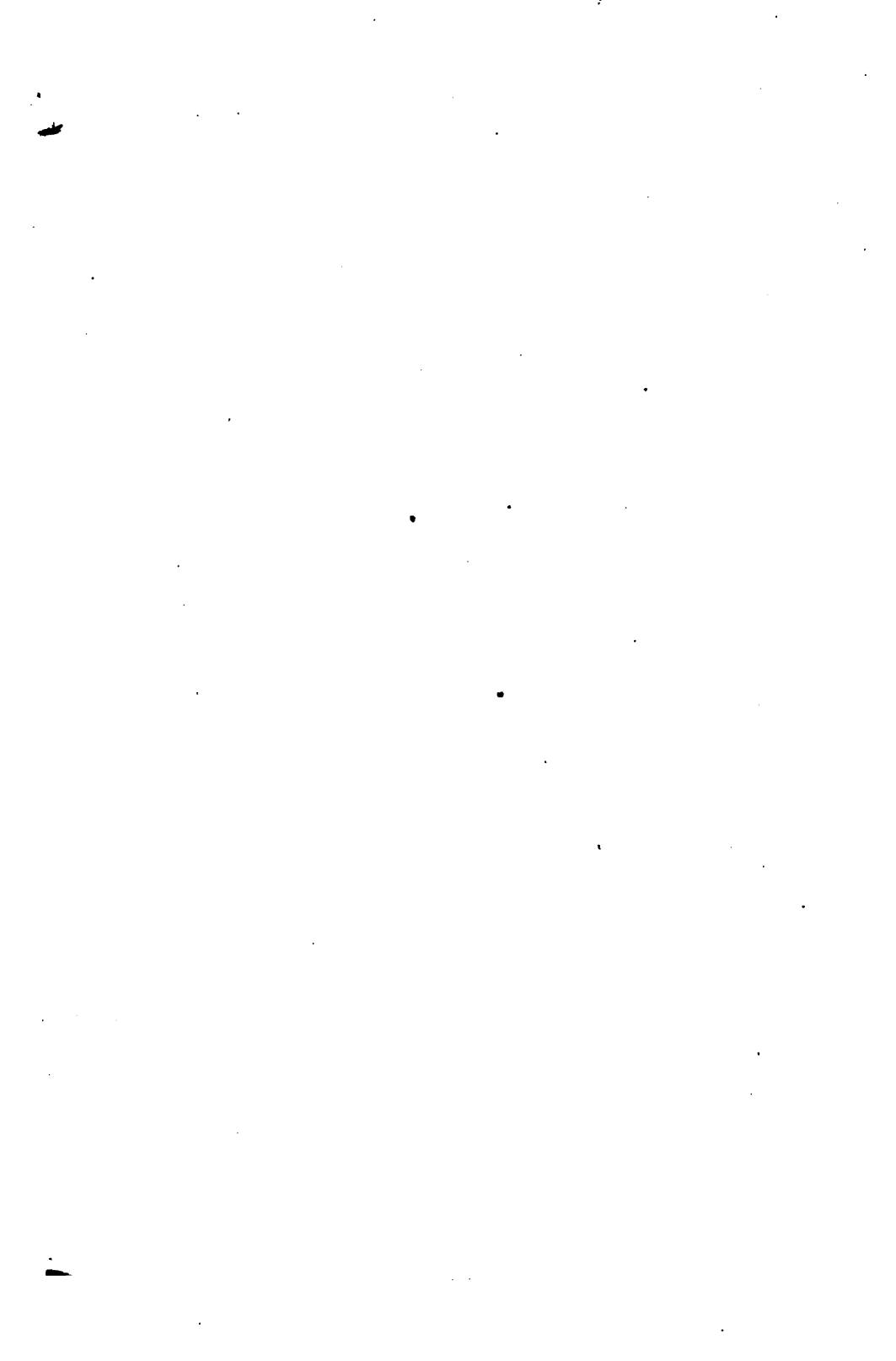
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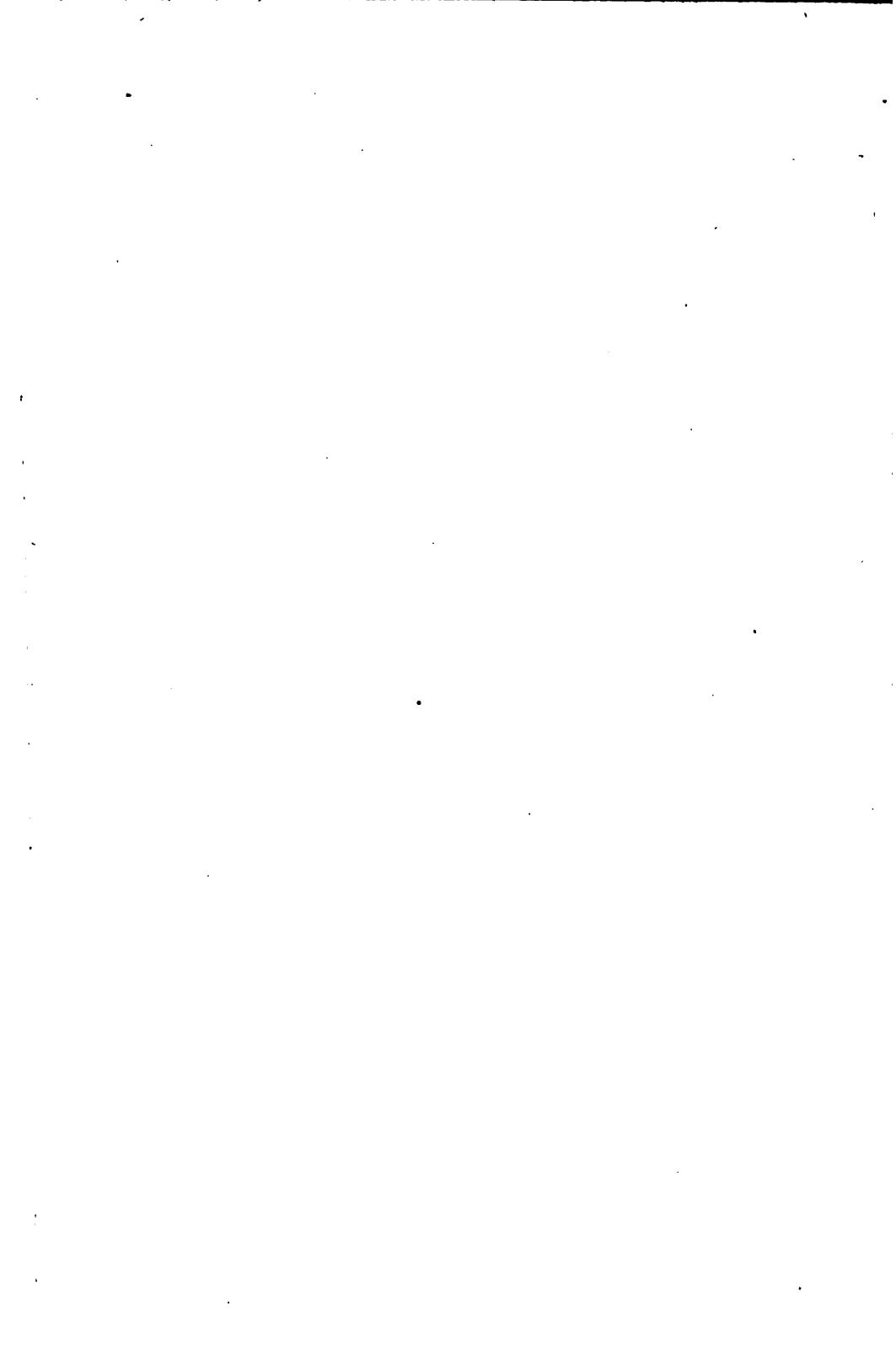
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THE
REVISED CHARTER

AND

Kenosha, Wis. ORDINANCES, etc.

OF THE

CITY OF KENOSHA,

WITH THE

RULES OF THE COUNCIL.



PRINTED : BY : AUTHORITY : OF : THE : COMMON : COUNCIL.



KENOSHA :
COURIER JOB ROOMS.
1884.

STATE OF WISCONSIN,)
COUNTY OF KENOSHA,) SS.
CITY OF KENOSHA. }

We, Octavius S. Newell, Mayor of the city of Kenosha, and Frank W. Mathews, City Clerk of said city do hereby certify that the annexed charter and ordinances of the city of Kenosha were and are printed and published by authority of the Common Council of said city, and in pursuance of a resolution of said Council passed September 3d, A. D., 1883.

Dated March 22d, A. D., 1884.

O. S. NEWELL, Mayor.

F. W. MATHEWS, City Clerk.

REVISED CHARTER
OF THE
CITY OF KENOSHA.

NOTE.—The original Charter was an Act approved February 8th, 1850, but the Charter was consolidated and codified by Chap. 133, Priv. and Local Laws of 1857. In the notes to the sections below, the word Charter refers to the codified Charter of 1857.

CHAPTER I.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows :

SECTION I. The district of country in the county of Kenosha and State of Wisconsin, known and described as follows, to wit: The southeast quarter of section thirty; fractional section thirty-two; the east half of section thirty-one; the southeast quarter of the northwest quarter, and the east half of the southwest quarter of section thirty-one in town two; the northeast quarter and the northeast quarter of the northwest quarter of section six, and the north half of fractional section five in town one, all in range twenty-three east, together with that part of Lake Michigan due east of the same, within one-fourth of a mile thereof shall be a city by the name of Kenosha.

Charter Chap. I, Sec. I.

Sec. 1 of Chap. 112, P. & L. Laws of 1859, amends the above section and reads: All that part of the City of Kenosha lying east of Mechanic street and south of the Town Line street, called Prairie Avenue, is hereby annexed to the (the) town of Pleasant Prairie,

CITY OF KENOSHA.

Provided that nothing herein shall be construed to exempt that part of said city so annexed from the payment of a just proportion of the indebtedness owing by said city. The remainder of said Chapter 112 is given at end of this revision.

Style of city
and powers.

SECTION 2. The inhabitants of said city shall be a corporation by the name of the city of Kenosha, and by that name may sue and be sued, complain and defend in any court, contract and be contracted with, make and use a common seal and alter it at pleasure, and take, hold and purchase, lease and convey such real and personal estate as the purposes of the corporation may require within or without the limits of said city, and shall otherwise possess the general powers of municipal corporations at common law.

Charter Chap. I, Sec. 2.

Ward boundaries.

SECTION 3. The city of Kenosha is hereby divided into four wards as follows: All that part of the city lying south of the township line between towns one and two shall constitute the third ward; all that part of the city lying north of the third ward as herein constituted, and south of a line drawn through the centre of Pearl street continued to the east and west boundaries of the city shall constitute the first ward; all that part of the city lying north of the first ward, as herein constituted, and south of the following described line, viz.: A line commencing on the eastern boundary line of the city at a point due east of the north line of lot number twenty-two in block number one on Washington Island; thence to and along said north line of lot twenty-two to Washington street; thence to and along the centre of Middle street on said Island and across Pike Creek to the centre of the alley north of and adjoining to lot number five in block number seventy-four, and along the centre of said alley to Main street; thence westerly to the centre of Middle street, and along the centre of Middle street to the centre of the creek, and thence along the centre of said creek northwesterly to the western boundary of the city shall constitute the fourth ward; and all that part of the city lying north of the fourth ward as

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herein constituted, shall constitute the second ward.

Charter Chap. I, Sec. 3, as amended by Sec. 1, Ch.

III, P. & L. Laws of 1858.

CHAPTER II.

CITY OFFICERS.

SECTION 1. The municipal government of the city shall consist of a Common Council composed of a Mayor and three Aldermen from each ward. Municipal Government

Charter Chap. II, Sec. 1, amended by Sec. 2, Chap.

III P, & L. L. 1858.

SECTION 2. A Mayor, a Treasurer, a Clerk, an Assessor, a Marshal, one Justice of the Peace for the city at large shall be elected annually by the people. And three Aldermen, one School Commissioner and one Constable shall be annually elected by the qualified electors of each ward. Election of officers. *Provided* that no Alderman shall receive any compensation for his services as Alderman, nor be interested, directly or indirectly, in any contract made with the city.

Charter Chap. II, Sec. 2, amended by Secs. 2 and 3,

Chap. III P. & L. Laws 1858, and Sec. 3 Chap.

148 P. & L. Laws 1859, and Chap. 164 P. & L. Laws 1859.

SECTION 3. A City Attorney, Harbor Master, Poor Master, City Physician Chief Engineer of the Fire Department, Surveyor, a Chief of Police, and one or more Street Supervisors, and Fire Wardens, Inspectors, Sextons and all such other officers as may be deemed necessary for the proper management of the affairs of said city, may be appointed by the Common Council, which officers shall hold their offices severally, during the pleasure of the Council, and at such compensation as the Council shall prescribe. Appointed officers.

Charter Chap. II, Sec. 3.

SECTION 4. None but electors of said city shall be eligible to or qualified to hold any elective office created by this act. Who eligible.

CITY OF KENOSHA.

Charter Chap. 2 Sec. 4.

Term of Office.

SECTION 5. The Mayor, Clerk, Superintendent of Schools, Assessor, Marshal and Aldermen shall hold their offices respectively for the term of one year and until their successors are elected and qualified. The School Commissioners shall hold their offices respectively for the term of two years, or until their successors shall be elected and qualified; *Provided* that officers elected to fill vacancies shall respectively hold for the unexpired term only or until their successors shall be elected and qualified.

Charter Chap. 2, Sec. 5, as amended by Secs. 2 and 3, Chap. 111 P. and L. L. 1858.

SECTION 6. The Aldermen, School Commissioners and the Justices of the Peace, elected at the next annual election, shall be successors to the present Aldermen, School Commissioners and Justices of the Peace respectively, whose terms of office expire at that time; the Aldermen, School Commissioners and Justices of the Peace elected one year thereafter respectively shall be successors of those Aldermen and School Commissioners and of that Justice of the Peace whose term (s) expire one year after the next election.

Charter Chap. 2, Sec. 6.

Vacancies.

SECTION 7. If any officers (officer) elected exclusively by any ward shall remove from such ward, or if any officer of such city shall die, resign, refuse to act, or remove from the city, his office shall thereby become vacant.

Charter Chap. 2, Sec. 7.

Filling Vacancies.

SECTION 8. Whenever any vacancy shall occur of any elective office, such vacancy shall be filled by special election.

Charter Chap. 2 Sec. 8.

Sec. 9 provided for the election of Supervisors was repealed by Sec. 6, Chap 111 Laws 1858, and the office was made appointive by Sec. 4 of said act. Sec. 662 of Revised Statutes takes the place of this section and provides for the annual election of a Supervisor from each ward.

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CHAPTER III.

ELECTIONS.

SECTION 1. An election shall be held in the several wards of said city on the first Tuesday in April in each year at such place in each ward as shall be designated by the Council, for the choice of city and ward officers, authorized by this act to be elected annually by the people, and of the time and place of such election, ten days previous public notice shall be given, in such manner as the Common Council may determine.

Annual Elections.

Charter Chap. 3, Sec. 1.

SECTION 2. Special elections for the purposes provided for in this act, may be held on any day, and on the hours of any day designated by the Common Council, but otherwise shall be conducted and the result thereof canvassed, certified and returned, in all respects as near as practicable, in like manner as the annual election for city and ward officers, except that returns for special elections need not be made to the clerk of the Board of Supervisors. Special elections at which all the qualified electors of said city may be entitled to vote, one poll only shall be required to be held in said city in case the Common Council shall deem the same expedient and so direct ; in such case such poll shall be opened and held in the first ward, and shall in all respects be conducted in the same manner as other city elections, and shall have the same validity as if the same had been held in the several wards.

Special Elections.

Charter Chap. 3, sec. 2, as amended by Sec. 5, Chap.

III Laws 1858.

SECTION 3. At any election in said city, a plurality of all the votes cast in the city for any person for any city office, and a plurality of all the votes cast in any ward for any person, for any officer (office) of such ward shall constitute an election.

Plurality to Elect.

Charter Chap. 3, Sec. 3.

SECTION 4. When two or more persons shall receive an equal number of votes for the same office, the elec-

Tie vote: how decided

tion as to such office shall be determined by the casting of lots in the presence of the Common Council at such time and in such manner as it shall direct.

Charter Chap. 3, Sec. 4.

Qualified
electors.

SECTION 5. Every qualified elector for member of the Legislature of this State, who resides within the ward where he may offer his vote, shall be deemed a qualified voter of said city, and shall be entitled to vote in the ward in which he resides for any officer in the city required by this act to be elected; *provided* that no elector shall be deemed a resident of any ward, unless he shall have lodged in said ward for twenty days next preceding such election.

Charter Chap. 3, Sec. 5.

Inspectors
and clerks.

SECTION 6. All elections in said city shall be held and conducted by the Aldermen of each ward, who shall be the inspectors of elections, and shall take the annual oaths or affirmations as prescribed by the general laws of this State to be taken by the judges and inspectors of election, and they shall have power to appoint clerks of such elections and to administer to them the necessary oaths.*

Charter Chap. 3, Sec. 6.

*This section is superseded by section 26 of the Revised Statutes which provides for the annual appointment of inspectors of elections.

Manner of
conducting
elections.

SECTION 7. The manner of conducting elections held under this act and of contesting the same, the keeping of the poll lists, canvassing the votes and certifying the returns, except as otherwise provided in this act, shall be the same, as nearly as practicable, as is now provided by law for general State elections.

Charter Chap. 3, Sec. 7.

Oath on
challenge.

SECTION 8. If any person offering to vote at any city election shall be challenged by any elector of the ward in which such vote is offered, before receiving the vote of such person, one of the inspectors shall require him

to take the following oath : " You do solemnly swear (or affirm) that you are twenty-one years of age, that you are a citizen of the United States (or have declared your intention to become such conformable (y) to the laws of the United States on the subject of naturalization) ; that you have resided in this State one year ; that you are now a resident of this ward, and have lodged therein for twenty days next preceding this election, and that you have not voted at this election and that you have made no bet or wager depending on the result of this election." And if the person so offering to vote shall take such oath, his vote shall be received.

Charter Chap. 3, Sec. 8.

SECTION 9. Any person who shall illegally vote at any election held under this act, shall be punished according to the laws of this State for illegal voting.

Charter Chap. 3, Sec. 9.

SECTION 10. After the closing of the polls the ballots shall be counted in the manner provided by law, and the returns shall be returned, sealed, to the City Clerk within three days after the election, and thereupon the Common Council shall meet and canvass the same and declare the result of the election.

Charter Chap. 3, Sec. 10.

SECTION 11. If any election, provided for in this act, shall for any cause not be held at the time prescribed, it shall not be considered a sufficient reason for arresting, suspending or dissolving the said corporation ; but such election may be held at any time thereafter by order of the City Council, of which time ten days public notice shall be given ; and further, if any of the duties enjoined by this act, at a time herein specified, or specified by any ordinance of said city, are not then done, the City Council may appoint another time upon which the said duties may be performed.

Charter Chap. 3, Sec. 11.

CITY OF KENOSHA.

CHAPTER IV.

OFFICERS—THEIR POWERS AND DUTIES.

Officers to take oath. SECTION 1. Every person elected or appointed to any office under this act, shall, before he enters upon the duties of his office, take and subscribe the (oath of) office, and file the same, duly certified, with the City Clerk.

Charter Chap. 4, Sec. 1.

Official bonds. SECTION 2. The Treasurer, Clerk, Marshal, Railroad Commissioner, Constables, and such other officers as the Council may direct, shall severally, before they enter upon the duties of their respective offices, execute to the City of Kenosha a bond with at least two sureties, to be approved by the Common Council; and said bond shall contain such penal sums and such conditions as the Council may deem proper; and the Council may from time to time require new or additional bonds, and remove from office any officer refusing or neglecting to give the same.

Charter Chap. 4, Sec. 2.

President of board. SECTION 3. The members of the City Council shall, on the first Monday after such annual election, or so soon thereafter as may be practicable, elect from their own body, a President to preside in their meetings in the absence of the Mayor.

Charter Chap. 4, Sec. 3.

When to serve. SECTION 4. In case of the vacancy of the office of Mayor, or of his being unable to perform the duties of his office by reason of absence, sickness or any other cause, the President of the City Council shall be vested with all the powers, and perform all the duties of Mayor until the Mayor shall resume his office, or the vacancy be filled by a new election.

Charter Chap. 4, Sec. 4.

President Pro Tem. SECTION 5. In case of absence or inability of both the Mayor and President of the City Council, a president *pro tem.* shall be elected, and for the time being shall discharge the duties of Mayor.

Charter Chap. 4, Sec. 5.

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SECTION 6. The Mayor shall preside at all meetings of the City Council, when present ; he shall be the chief executive officer and head of the police of the city. It shall be his duty to recommend in writing to the City Council such measures as he may deem expedient. He shall sign all commissions, licences and permits, which may be granted by the City Council. He shall maintain peace and good order, and see that the laws of the State and ordinances of the city are observed and executed ; shall be entitled to vote upon all questions before the Council when present, and shall have power to administer oaths or affirmations, and to take and certify acknowledgments of deeds and other instruments in writing. As a judicial officer, he shall have all the power, and exercise the jurisdiction of justices of the peace in the State by giving the bonds required by law, and in case of riot or other public disturbance, he may appoint as many special or temporary Constables as he may deem proper.

Duties of Mayor.

Charter Chap. 4, Sec. 6.

SECTION 7. The Treasurer shall receive all moneys belonging to the city and keep an accurate and detailed account of all receipts and expenditures in such manner as the Council shall direct. He shall pay no money from the treasury except upon the order of the Council, signed by the Mayor and countersigned by the Clerk, which order shall specify the amount of money to be drawn, and the object of the appropriation, and such orders shall not bear interest, except by special vote of the City Council. He shall as often as once in three months, and as much oftener as the Council may require, return all such orders paid by him, with a list thereof, which list shall specify the sums paid upon each order, and the purposes for which appropriated. He shall report to the Common Council, once in three months, and oftener if required, a statement of the condition of the treasury and the several funds thereof, one of which statements shall be made within fifteen days of

Duties of Treasurer.

every annual election.

Charter Chap. 4, Sec. 7.

Duties of
Clerk.

SECTION 8. The Clerk shall keep the corporate seal and all papers and records of the city. He shall attend all meetings of the Council and keep a record of the proceedings. He shall draw and countersign all orders on the treasury, or for sums duly appropriated by the Council, and shall keep the stubs of such orders. He shall further keep full and accurate accounts of all sums so appropriated, which accounts shall specify the purposes of such appropriations in books provided for that purpose. He shall record all orders and ordinances adopted by the Council in a book kept exclusively for that purpose, and perform such other duties pertaining to his office as are prescribed for town clerks by the general laws of the State, or the Common Council may direct. He shall have power to administer oaths and affirmations, and copies of all papers filed in his office, and transcripts from the records thereof, certified to by him under the corporate seal, shall be evidence in all courts, in like manner as if the original were produced.

Charter Chap. 4, Sec. 8.

Duties of
Marshal.

SECTION 9. The Marshal shall perform such duties as shall be prescribed by the Common Council for the preservation of the public peace and for the collection of license moneys and funds. He shall possess the power (s) of Constable by the laws of this State, and shall receive like fees.

Charter Chap. 4, Sec. 9.

Peace
officers.

SECTION 10. The Mayor or acting Mayor, each and every Alderman, Marshal, each and every Justice of the Peace, and Constable of the city of Kenosha, or any other person or persons appointed by the Council for such purpose, shall be officers of the peace, and may command the peace and suppress, in a summary manner, all rioting and disorderly behavior, in a manner consistent with the ordinances of said city, within the limits thereof, and for such purposes may command the assist-

ance of all bystanders, and, if need be, of all citizens and military companies, and if any person, by-stander, military officer or private of such company, shall refuse to aid in maintaining the peace, when so required, every such person shall forfeit and pay such fine a (s) may be prescribed by ordinance of the City Council in such cases provided. And in all cases, when the civil power may be required to suppress riotous or disorderly behavior, the superior or senior officer present at (in) the order mentioned in this section shall direct the proceedings

Charter Chap. 4, Sec. 10.

SECTION 11. The Common Council shall have power to require further and other duties of all officers whose duties are herein prescribed, and to prescribe the powers and duties of all officers appointed or elected to any office under this act, whose duties are not herein specifically mentioned; to fix the compensation of all such officers and to impose penalties for non-performance or neglect in the discharge of any duties imposed by the ordinance (s) or by this act.

Council may require further duties from officers

Charter Chap. 4, Sec. 11.

SECTION 12. No Alderman shall be a party to, or interested in any contract with the city, without the expressed unanimous consent of the Council.

No alderman to be interested in contract.

Charter Chap. 4, Sec. 12. But see Sec. 2, Chap. 2, of this revision.

SECTION 13. The Justices of the Peace of said city shall as often as once in six months, report to the City Council a list of all proceedings instituted before them, in behalf of the city or under its ordinances, with the disposition thereof, and shall at the same time account for any over (and pay over) the amount of all penalties and costs collected by them as the result of such proceeding.

Duties of justices.

Charter Chap. 4, Sec. 13.

SECTION 14. The compensation of the Mayor shall not exceed one dollar and fifty cents for each session of

Compensation of Mayor or.

CITY OF KENOSHA.

the Council, unless for specific services otherwise performed ; and in such case such compensation shall not exceed two dollars per day

Charter Chap. 4, Sec. 14, as amended by Sec. 2, Chap. 111 P. and L. Laws 1858.

Refusal to
deliver pa-
pers, etc., to
successor.

SECTION 15. If any person having been an officer of said city shall not within ten days after notification and request, deliver to his successor in office all the property, papers and effects of every description in his possession belonging to said city, or appertaining to the office he held, he shall forfeit and pay for the use of the city one hundred dollars, besides all damages caused by his neglect or refusal so to deliver ; said penalty to be recovered before any court of competent jurisdiction in the same manner as penalties for the violation of city ordinances are collected.

Charter Chap. 4, Sec. 15.

CHAPTER V.

THE COMMON COUNCIL.

Quorum. SECTION 1. A majority of the members of the Common Council shall constitute a quorum ; but a smaller number have power to compel the attendance of absent members, in such manner and under such penalties as the Common Council shall by ordinance prescribe.

Charter Chap. 5, Sec. 1, as amended by Sec. 1, Chap. 356 P. and L. Laws 1870.

Meetings. SECTION 2. The Council shall hold stated meetings at such times and places as it may appoint. The Mayor may call special meetings by notice to each of the Alderman.

Charter Chap. 5, Sec. 2.

Prerogative
of council.

SECTION 3. The Council shall determine the rules of its own proceedings and be the judge of the election and qualification of its own members.

Charter Chap. 5, Sec. 3.

SECTION 4. The style of all ordinances adopted by the Council shall be,—“Be it ordained by the Common Council of the city of Kenosha.” Enacting clause.

Charter Chap. 5, Sec. 4.

SECTION 5. The Common Council shall have the management and control of the finances, and of all other property, real, personal and mixed, belonging to the corporation ; shall settle all claims and demands against the city ; settle with the Treasurer annually, and make out and publish accounts of the receipts and expenditures of the city annually for the information of the citizens. Council to control finances, etc.

Charter Chap. 5, Sec. 5.

SECTION 6. Any laws, ordinance, order, regulations and by-laws imposing any fine, penalty or forfeiture shall be passed by an affirmative vote of a majority of the Common Council, signed by the Mayor and published in one or more newspapers of the city before the same shall be in force ; and all such laws, ordinances, orders, regulations and by-laws so published shall be recorded immediately after such publication, together with an affidavit of such publication, which affidavit shall be made by the printer, publisher or office foreman of the newspaper in which the publication was made, and such affidavit, so recorded, shall at all times be deemed sufficient evidence of such publication. Certain ordinances etc How passed and published.

Charter Chap. 5, Sec. 6.

SECTION 6, a. Every ordinance passed by the Common Council of the city of Kenosha, before the same shall take effect, shall be submitted to the Mayor for his signature. If he approve it, he shall sign it ; if he disapprove it, he shall, within five days, return the same to the Common Council or City Clerk, with his objections thereto in writing. Thereupon, the Common Council shall cause such objections to be entered upon the journal and proceed to reconsider such ordinance. If, after such reconsideration, two-thirds of all the members of said Council, by a vote taken by yeas and nays

to be entered on the journal, shall agree to such ordinance, the same, after due publication, shall be in full force and effect. In case the Mayor shall not return such ordinance to the Common Council or to the City Clerk, within five days with his objections, the same shall in like manner become of full force and effect.

Sec. 1, Chap. 185 Laws 1873.

Further power
of council

SECTION 7. The Common Council shall have full power and authority to make, enact, ordain, establish, publish, (prescribe) enforce, alter, modify, amend and repeal all such ordinances, rules and by-laws for the government and good order of the city, for the protection of property, for the suppression of vice, for the prevention and punishment of crime, for the benefit of the common trade and health of the city as they shall deem expedient. It shall also have power to declare and impose penalties, and to enforce the same by fine or imprisonment, or in any other manner they may provide, against any person or persons who may violate any of the provisions of any such ordinance, rule or by-law; and all such ordinances, rules and by-laws are hereby declared to be and to have the force of law.

Charter Chap. 5, Sec. 7.

Corporate
powers.

SECTION 8. Besides other (powers) in this act granted to the Common Council of the city of Kenosha, said Council shall have power by ordinance, order or resolutions:—

License.
Shows, auc-
tions, liquor
venders, etc.

1st. To license and regulate auctions, the exhibitions of common showmen or shows of any kind, or the exhibition of any natural or artificial curiosities, caravans, circuses, concerts or theatrical performances, and to restrain and prohibit any person from vending or dealing in spirituous, fermented or vinous liquors unless duly licensed by the Common Council.

See Chap. 66 Revised Statutes.

Gaming.

2d. To restrain and prohibit all descriptions of gaming and fraudulent devices and practices, and all playing of cards, dice or other games of chance for the pur-

pose of gaming in said city.

3d. To prevent any riots, noises, disturbance or disorderly assemblage, suppress and restrain disorderly houses or groceries, houses of ill fame, billiard tables, nine or ten pin alleys or tables, shows and exhibitions, to authorize the destruction of all instruments or devices used for the purposes of gaming and to abate nuisances.

Disorderly
houses, etc.

4th. To compel the owner or occupant of any grocery, cellar, tallow chandler's shop, soap factory, tannery, stable, barn, privy, sewer, or other unwholesome or nauseous houses or places, to cleanse, remove or abate the same from time to time, as often as it may be deemed necessary for the health, comfort and convenience of the inhabitants of the city.

Nuisances.

5th. To direct the location and management of all slaughter houses and markets, to establish rates for and license venders of gunpowder and regulate the storage and keeping and conveying of gunpowder or other combustible materials.

Slaughter
houses, etc.

6th. To prevent the encumbering of the streets, sidewalks, lanes, alleys or public grounds with carriages, carts, wagons, sleighs, sleds, boxes, timber, firewood, or other material or substance whatever.

To prevent
encumbrance on streets
and sidewalks.

7th. To prevent horse racing, immoderate driving or riding in the streets, and to regulate the places of bathing and swimming in the waters within the limits of said city.

Driving and
bathing.

8th. To restrain the running at large of cattle, swine, sheep, horses, poultry and geese, and to authorize the distraining and sale of the same.

Animals.

9th. To prevent the running at large of dogs, and to authorize their destruction in a summary manner when at large contrary to the ordinances, or to impose a tax on the same.

Dogs.

10th. To prevent any person from bringing, depositing or having within said city any putrid carcass, or any unwholesome substance, and to require the removal of the same by any person who shall have upon his prem-

Putrid sub-
stances.

ises any such substance, or any putrid or unsound beef, pork, fish, hides or skins of any kind, and in default, to authorize the removal thereof by some competent officer at the expense of such person or persons.

Pounds, waterworks, hacks, etc.

11th. To make and establish public pounds, pumps, wells, cisterns and reservoirs, and to provide for the erection of waterworks for the supply of water to the inhabitants of said city, or any ward therein ; to erect lamps, and regulate and license hacks, cabs, drays, carts, and the charges of hackmen, car-men and draymen within the limits of the city.

Hospitals, poor houses and cemeteries.

12th. To establish and regulate boards of health, provide hospitals, poor houses and cemetery grounds, and regulate the burial of the dead.

Chap 167 Laws 1883 requires the organization of Boards of Health in each city and prescribes the mode of organization. Chap. 421 Laws 1865 authorize Council to purchase additional land for cemetery, and extends the jurisdiction of the Council to the land so purchased.

Bridges.

13th. To regulate the building of bridges and provide for the security and protection of the same.

Misuse of sidewalks.

14th. To prevent all persons riding or driving any horse, ox, mule, cattle or other animal on the sidewalks in said city, or in any way doing damage to such sidewalks.

Firearms and fireworks.

15th. To prevent the shooting of firearms or crackers, except by special provision of the Common Council, and to prevent the exhibition of any fireworks in every situation which may be considered by the City Council dangerous to the city or any property therein, or annoying to any citizen thereof.

Drunkenness.

16th. To restrain drunkards, immoderate drinking or obscenity in the streets or public places, and provide for removing and punishing any person or persons who may be guilty of the same.

Police.

17th. To appoint policemen, watchmen and firemen, prescribe their duties and punish their delinquences.

Markets.

18th. To establish public markets and make rules and regulations for the government of the same ; to ap-

point suitable officers for overseeing and regulating such markets, and to restrain all persons from interrupting or interfering with the due observance of such rules and regulations.

19th. To regulate the place and manner of weighing ^{Weighing Hay, Fuel, etc.} and selling hay, of measuring and selling fuel, fish, lime and other articles, and to appoint suitable persons to superintend, conduct or inspect the same.

vide p. 28 s. 2 p. 29 Sec. 6 r 7 { 20th. To compel the owner or occupant of any building or ground to remove the snow, dirt or rubbish ^{Snow and rubbish on sidewalks.} from the sidewalks, street or alley opposite thereto, and to compel such owner or occupant to remove from the lot owned or occupied by him, all such substances as the city shall direct, and in his default, to authorize the removal or destruction thereof, by some suitable officer, at the expense of such owner or occupant.

21st. To authorize the Mayor or other proper officer ^{Licenses.} of the city, to grant and issue licenses, and direct the manner of issuing and registering thereof and the fees to be paid therefor.

22d. To regulate the use of locomotive engines, and direct and control the location of railroad tracks and ^{Railroads, etc.} de-pot grounds within the city.

23d. To direct and regulate the planting and pre- ^{Shade trees.} serving of ornamental trees in the streets and public grounds.

24th. To establish harbor and dock limits and regu- ^{Dock Lim- its and wharfs.} late the locality and manner of constructing of wharves and docks along the banks of Pike Creek within the limits of said city.

24th, a. To pass and enforce such ordinances as ^{Same.} they may deem necessary to regulate and cause to be constructed, altered and maintained, wharves along the bank of Pike Creek, and exercise the same power and control over said creek within said city, as by virtue of the City Charter they possess over streets and alleys.

Sec. 4, Chap. 185, Laws 1873.

24th, b. To pass and enforce such ordinance as they ^{Same.}

deem necessary to regulate and cause to be constructed, repaired and maintain wharves and docks along the dock limits established or hereafter to be established by said Council, and also to prevent sand or other obstructions from washing into the harbor of Pine (Pike) Creek. For the purpose of carrying into effect the foregoing powers and provisions, the Common Council shall have power to provide by ordinance for docking along said dock limits or any part or portion thereof, and for requiring the owners of docks thereon to repair the same in such manner as said Council shall direct; and to make or construct such other protection on any lot or lots within said dock limits to prevent obstructions from working into the harbor, creek or river, as to said Council may seem best. Whenever an ordinance is passed by said Common Council requiring the owner or owners of any lot or lots to construct, repair or maintain any wharf or dock or to build any obstruction upon such lot or lots as hereinbefore provided, it shall be the duty of the City Clerk forthwith to serve upon the owner or owners of said lot or lots referred to in said ordinance, a true and correct copy of such ordinance, together with a notice of the date of its passage in the manner provided by statute for the service of a summons in the Circuit Court. If service cannot be had upon such owner or owners in the manner above provided, then it shall be the duty of said Clerk to enclose by mail a copy of such ordinance, together with the notice aforesaid, addressed to such owner or owners at his or their place of residence, if the same can be ascertained, and if the owner or owners of such lot or lots shall neglect or refuse within one year after the passage of such ordinance and service of notice as aforesaid, to build or repair such dock, wharves or other protection, or otherwise to comply with the provisions of said ordinance, the Common Council are hereby empowered and authorized to let the docking, repairing, filling or the construction of such other specified protection of said

lot or lots by contract to the lowest bidder therefor. When such work shall be completed according to such contract, and accepted by said Common Council, the Mayor and City Clerk shall issue a certificate to such contractor, as provided in section three of this act, for the amount of the contract price of such work. The amount so named in said certificate, with ten per cent. interest thereon from the date of such certificate, shall be chargeable to and be a valid lien upon such lot or lots, the same as other special assessments, and it shall be collected in the same manner as other taxes upon real estate are collected; but no part of any such work shall be paid by the city: *Provided*, that no such ordinance as hereinbefore mentioned shall be passed except by a three-fourths vote of the Common Council.

Sec. 2, Chap. 316 Laws 1876.

(NOTE.--Section 3, above referred to, is as follows: The City Clerk shall annually add to the tax-roll of the city, in a separate column, as a special assessment, opposite to the lots to be charged therewith, the amount due on all the aforesaid outstanding contractor's certificates issued by him and the Mayor, as provided by the second section of this act, together with ten per cent. interest on each of said certificates, and the same shall be collected by the Treasurer as other taxes are collected.)

25th. To lease the wharfing privileges of Pike Creek ^{To lease docks, etc,} or of the harbor within the limits of said city at the ends of streets upon such terms and conditions as may be usual in the leasing of other real estate, reserving such rents as may be agreed, and employing such remedies in case of non-performance of any covenants in any such lease as are given by law in other cases.

26th. To erect or purchase such public buildings ^{Public buildings, dredges, etc.} as may be necessary for public use, and to build, regulate and lease dredges, scows, wharves, docks or piers on the harbor or at the ends of the streets or alleys.

27th. To prevent and remove all obstructions within, ^{Use and protection of harbor.} or encroachments upon the harbor, and otherwise improve and protect it by dredging, piercing, widening, deepening or straightening the same; and to prescribe such regulations for the government of boats or ves-

CITY OF KENOSHA.

sels entering, leaving or lying in the same, as may be deemed necessary for the public good.

City to have
use of jail.

28th. To have the privilege of using the jail of the County of Kenosha for the imprisonment of offenders against the ordinances, rules or by-laws. And all persons so imprisoned shall be in the custody of the Sheriff of the county : *Provided*, that the Sheriff's fees and all other expenses shall be paid by the said city of Kenosha, and the County of Kenosha shall not be liable to pay the same or any part thereof.

Subd. 28, as amended by Chap. 180, P. and L. Laws 1862.

The above section is sec. 8 of Chap. 5 of Charter, amended as indicated under the respective subdivisions.

To cause
plat to be
made, etc.

SECTION 9. The Common Council shall within six months from the passage of this act, cause an accurate plat of said city to be made, which plat shall contain and specify the boundaries of all streets, alleys, public grounds, and of all lots, blocks, and out-lots with the numbers, and other lands in said city; and said plot when approved by the Common Council and certified by the Mayor and Clerk, shall be recorded and be legal evidence of all the boundaries and numbers thereon in all courts and places.

Charter Chap. 5, Sec. 9.

Lake shore
protection.

SECTION 10. The Common Council shall also have power to authorize the construction of suitable piers, breakwaters, sheet-piling and such other protections as may be planned or devised for the purpose of protecting the lake shore within the limits of said city from the encroachments of the waters of Lake Michigan, and to make the necessary appropriations therefor and to levy a tax to pay the same. But no such improvement shall be authorized by said Council until a plan of the same shall have been submitted to them in writing, and a careful estimate of the cost thereof made, and the same, when authorized, shall be let by contract to the lowest bidder or bidders, reasonable notice having been given of the time and place of receiving bids. The Council

may, by resolution, require any person presenting a bid for such work, or any part thereof, to furnish a sufficient and satisfactory bond, in such sum as said Council shall direct, conditioned for the skillful, prompt completion of the work contracted by his bid, in accordance with the plans and specifications agreed upon. And the Council may refuse to accept any bid not accompanied by such bond.

Chap. 28 Laws 1877.

CHAPTER VI.

TAXATION.

SECTION I. For the purpose of meeting any expenditure authorized by the Common Council under the provisions of this act or any ordinance of said city, or to defray the current expenses of said city, the Common Council shall have power to levy and collect annually a tax on all such real and personal property or capital of any kind within said city for the time being, subject to taxation by the laws of this State. All moneys raised and received by said city for the improvement of the harbor or for harbor purposes, shall constitute a separate fund to be called the "Harbor fund." All moneys raised or received by said city for highways, streets, alleys or bridges, shall constitute a separate fund to be known as the "Street and Bridge fund." All moneys raised or received by said city for the support of the poor, shall also constitute a separate fund, to be called the "Poor fund." All moneys raised and received by said city for school or educational purposes shall constitute a separate fund, to be called the "School fund." All moneys raised or received by said city not belonging to either of the funds hereinabove enumerated shall constitute a separate fund to be known as the "Contingent fund." Said funds shall be kept separate and distinct, and the Treasurer of said city shall keep a separate account upon the books of said city with each of the funds, and no

General
power of
taxation.

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moneys belonging to either of said funds shall be diverted or appropriated to any purpose other than that for which the same was received or raised, except by a two-thirds vote of the Common Council. *Provided* that no sum exceeding two thousand dollars shall be raised in any one year for harbor purposes.

Charter Chap. 6, Sec. 1, as amended by Chap. 316, Sec. 1, Laws 1876.

Chapter 239, Gen. Laws of 1860, authorized the raising of an annual special tax for harbor purposes not exceeding \$5,000, after submission to a vote of the people. But sec. 4 of Chap 316 Laws 1876, repeals all acts and parts of acts contravening the provisions of said Chap. 316.

School tax.

SECTION 2. The Common Council shall annually levy and collect a school tax on all real and personal estate, to meet the expenses of purchasing grounds for school purposes, for the building and repairing school houses and for the support and maintainance of schools.

Charter Chap. 6, Sec. 2.

Tax to pay
city debt.

SECTION 3. The Common Council shall have power annually, or more frequently, to levy and collect a tax on all the lots and land in said city, not including any improvements thereon, to pay the bonded debt of the city or the interest thereon, and shall have power to issue new bonds, when necessary, to meet such indebtedness for such time and at such rates of interest as they may deem expedient; but bonds shall be issued for no other purpose than to meet such indebtedness, except as hereinafter provided.

Charter Chap. 6, Sec. 3.

SECTION 4. *Repealed by Chap. 239 Gen. Laws 1860.*

Poll tax.

SECTION 5. There shall be two days' work performed annually on highways, streets and alleys by each male person who by the laws of the State is subject to perform highway work; such person to perform such labor within the ward where he resides, under the direction of the Aldermen of the ward, or such Street Commissioners or Supervisors as the Common Council may appoint; but any such person may, at his option, pay at a ratio

of seventy-five cents per day for every day he may be so bound to labor, and in default of the payment of such money, or the performance of such labor, any Street Commissioner or Supervisor may sue for and collect such money by an action of (debt) in the name of the city of Kenosha, with fifty per cent. damages on the same, together with costs of suit, before the Mayor of the city or any Justice of the Peace; and in all such cases the process shall be by warrant, and no stay of execution upon any judgment rendered on such suit shall be taken or allowed.

Charter Chap. 6, Sec. 5.

SECTION 6. The property exempt from taxation by the laws of the State or of the United States shall not be subject to taxation for the support of the city government, or for the payment of its debts and liabilities.

Charter Chap. 6, Sec. 6.

SECTION 7. The Council shall by ordinance prescribe the time in which highway taxes may be levied and collected, and returns thereof be made by the Street Commissioners, or Supervisors.

Charter Chap. 6, Sec. 7.

CHAPTER VII.

OF HIGHWAYS AND PUBLIC GROUNDS.

SECTION 1. The Common Council shall have power to lay out public grounds, streets and alleys, and to alter, widen, contract, straighten, and vacate the same; and all streets and alleys laid out by the Council shall be highways.

Charter Chap. 7, Sec. 1.

SECTION 2. Within twenty days after the presentation to the Council of any petition of any persons interested to lay out any highway, streets, alleys or public ground, the Common Council may choose by ballot five disinterested freeholders residing in said city as commissioners to ascertain and determine:

1st. The necessity of taking any private property for laying out such highway, street, alley, or public ground petitioned for.

2d. The damages and recompense due the owners respectively of any such private property necessary to be taken.

Damages.
How assessed.

3d. What persons will be benefited by such improvement and to assess the damages and expenses of such improvement on the real estate of persons so benefited in proportion as nearly as may be to the benefits resulting to each.

Charter Chap. 7, Sec. 2. amended by Sec. 1, Chap. 307, Gen. Laws 1865.

Notice.
How given.

SECTION 3. The said Commissioners, not less than ten days before they shall proceed to the discharge of their duties, as provided in the preceding section, shall cause notice to be given to all persons interested or to the agents of such persons, either personally or by written information left at the residence of any such person, of the time when, and the place where they will meet for the purpose of determining the necessity of taking any private property for the public use, and for awarding damages therefor, as aforesaid; or in case any such interested person shall be unknown or non-resident, and have no agent in the city, notice of such meeting may be given to all such persons by publication in one of the newspapers of the city, for such time as the Commissioners may deem sufficient.

Charter Chap. 7, Sec. 3.

Commissioners to take oath.

SECTION 4. The Commissioners aforesaid shall be sworn faithfully to execute their duties according to the best of their ability; they shall view the premises, and if necessary, may administer oaths to witnesses, receive any legal evidence, and may adjourn from day to day.

Charter Chap. 7, Sec. 4.

Return, of commissioners. How made.

SECTION 5. Within twenty days after their appointment, said Commissioners shall make return to the Council, under their hands, of the amount of benefits, dam-

ages, and expenses assessed by them, with a description of the property assessed, and the proportion of such assessment for each lot.

Charter Chap. 7, Sec. 5.

SECTION 6. When such return has been made, as provided in the preceding section, the City Clerk shall cause notice to be given to all interested persons, or the agents of such persons, of the award of the Commissioners, which notice shall either be personal or by written information left at the residence of any such interested person, except in cases of unknown or non-resident persons without agents residing in the city, so interested, in which case such notice shall be given by publication for one or more weeks in some newspaper published in the city; and such notice shall state that on or after a day specified therein, said day to be fixed by the Common Council, to be not less than ten days from the date of such notice, the award of the Commissioners will be confirmed by the Council, unless objections to the same are made to the Common Council in writing by some person interested, previous to or on such day specified.

Charter Chap. 7, Sec. 6.

SECTION 7. If no objections are made as provided in the preceding section, to the confirmation of the award of the Commissioners, the consent of any party or parties interested shall be deemed given, and any further or other proceedings on the part of any party or parties interested, shall be deemed waived, and the Council shall proceed to confirm such award by a final order; and when such award is so confirmed, the assessment made therein shall be a lien on the property assessed, and be collected and made payable in the same manner as annual taxes are collected and made payable.

Charter Chap. 7, Sec. 7.

SECTION 8. The Council shall have power at any time during the proceedings herein provided for to remove any Commissioner and to appoint others in place of such as may be removed, refuse or neglect or be una-

City clerk
to give no-
tice.

When coun-
cil to con-
firm report.

Commission-
ers. How
removed.

ble from any cause to serve.

Charter Chap. 7, Sec. 8.

Damages.
How tend-
ered, etc.

SECTION 9. The land required to be taken for laying out any public ground, street or alley, shall not be appropriated for such purpose until the damages awarded therefor, to any owner thereof, shall be paid or tendered to such owner or his agent, or when such owner or agent cannot conveniently be found, be deposited with the Treasurer for the benefit of such owner; but upon satisfactory proof of such tender or deposit having been made, the Common Council shall, except in case of the appeal provided for in sections eleven and twelve of this chapter, make such order for the immediate opening, altering, widening, improving, straightening or vacating such highways, streets, alleys or public grounds, as may seem expedient.

Charter Chap. 7, Sec. 9, as amended by Sec. 2, Chap. 307 Gen. Laws 1865.

Equitable
compensa-
tion.

SECTION 10. If the lands necessary in any case to be taken as hereinbefore provided, belong to different persons, or be subject to lease or contract for conveyance thereof, duly recorded, the injury done to any person in any manner so interested, respectively, may be awarded by the Commissioners, less the benefit resulting to them respectively from the proposed improvement.

Charter Chap. 7, Sec. 10.

Appeal How
taken.

SECTION 11. Whenever any final order has been made for taking any private property for public use, as hereinbefore provided, without the consent of the owner thereof, as hereinbefore provided; or whenever any person shall claim greater damages than shall be awarded by the Commissioners for property so taken, and shall not waive his right to further and other proceedings, as hereinbefore provided, such owner or owners may appeal from any final order of the Council for opening or widening any street, alley, or public ground to the circuit (court) of Kenosha County, by filing notice of such appeal with the City Clerk, at any time within two weeks

after the passage of such final order by the Council.

Charter Chap. 7, Sec. 11.

SECTION 12. Whenever notice of appeal shall be filed with the City Clerk, as provided in the preceding section, the Clerk shall within ten days thereafter return to the Clerk of the Circuit Court of Kenosha county the name of the party filing such notice, together with a copy of the award of the Commissioners, and of the order of the Council relating thereto; and on the trial of such suit, the city shall be plaintiff and the appellant shall be defendant, and otherwise said suit shall be subject to the same rules and regulations as other appealed cases.

On the trial of such appeal, the jury shall find, as well the necessity of taking such land for the uses aforesaid, as the amount of compensation to be paid to said appellant for taking the same, and the court, upon verdict rendered therein, shall have power to confirm or annul the order of the Common Council appealed from, according to the verdict of the jury, and may give judgment, vesting in the city for the uses aforesaid, the property described in the award of the commissioners as belonging to the appellant, upon the payment by the city of the amount of damages found by the (jury); and in case the appellant shall receive the same amount of damages by such suit as was awarded him by the commissioners aforesaid, or a less amount than was so awarded, he shall be adjudged to pay the costs of suit; in all other cases, the city shall pay the costs of suit.

Charter Chap. 7, Sec. 12.

SECTION 13. Whenever any public ground, street or alley shall be laid out, widened, (contracted), [constructed], straightened, vacated, or otherwise altered according to the provisions of this chapter, the Common Council shall cause an accurate survey and profile of every such alteration, to be filed with the City Clerk, and recorded.

Charter Chap. 7, Sec. 13,

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CHAPTER VIII.

STREET IMPROVEMENTS.

Improve-
ment of
streets.

SECTION 1. The Common Council shall have power to cause any highway to be graded, leveled, graveled, or paved, and to keep the same in repair.

Charter Chap. 8, Sec. 1.

Side walks,
sewers, etc.

SECTION 2. The Common Council shall have power to cause cross and sidewalks, main drains and sewers and private drains to be constructed and laid, relaid, removed, cleansed or repaired, and to regulate the same.

Charter Chap. 8, Sec. 2.

Petitions for
improve-
ments When
granted.

SECTION 3. Whenever a majority of all the owners of real estate, bounding both sides of any street or part of a street, shall petition the Common Council to order such street or part of a street graded, leveled, graveled, or paved, or to construct a sewer therein; or whenever the majority of all the owners of real estate bounding one side of any highway, shall petition the Common Council to cause sidewalks to be laid on the side of such highway bounded by such real estate, such petition may be granted, and an order be made in accordance therewith, which order shall specify as nearly as may be, the locality and manner of the improvements proposed, and notice shall be given to all persons interested, personally or by publishing such order one week in some newspaper published in the city.

Charter Chap. 8, Sec. 3.

Notice. How
given.

SECTION 4. Whenever any order shall have been made for grading, leveling, graveling, or paving any highway, or for building any sidewalk as herein provided, the Street Supervisor of the ward in which such work is ordered to be done, or such person as the Council may designate as Street Supervisor for that especial purpose, and shall immediately after the publication of such order, cause to be performed such work in manner as specified in such order, and under the direction of the

Work. How
may be done

Aldermen of the ward in which such work is to be done, and when such work is completed, such Supervisor or

vidy. 17
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other person shall immediately thereafter return to the City Clerk an account in detail of the expenses thereof.

Charter Chap. 8, Sec. 4.

SECTION 5. The aggregate expense of any improvement provided for in any such order of the Common Council as hereinbefore provided in this chapter, shall be assessed by the Common Council on the lots lying upon or bounding the highway upon which such improvement is made, according to the relative benefit accruing to such lot ; and a tax shall be levied therefor upon said lots, and such tax shall become a lien upon the lots so levied upon, and shall be collected in like manner, as other taxes levied under this act.

Expenses.
How assessed.

To be a lien
etc.

Charter Chap. 8, Sec. 5.

SECTION 6. It is hereby provided, if upon the publication of any order for any improvement as hereinbefore in this chapter provided, any owner of any lot or real estate liable to be taxed therefore under this act, may perform or cause to be performed, at his own expense such part of such work for such improvement under the direction of the Supervisor or other person appointed for such person (purpose), as may amount to the sum for which the lot or lots owned by him shall be liable to be assessed ; and any statement in writing, by the Supervisor or other person appointed as such for the time being, that such work has been performed, shall exempt such lot or lots on behalf of which such work has been performed from taxation for such improvement.

Owners may
do the work.

vide p. 17
§ 20 -

Charter Chap. 8, Sec. 6.

SECTION 7. The Common Council may make such further or other regulations for causing highways to be graded, leveled, graveled or cleaned and to keep the same in repair ; and for causing cross and sidewalks, main drains and sewers or drains to be constructed, laid, relaid, removed, cleaned and repaired, as they may by ordinance ordain.

General provisions.

vide p. 17
§ 20

Charter Chap. 8, Sec. 7.

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CHAPTER IX.

ASSESSMENT AND COLLECTION OF TAXES.

**Annual as-
essment** SECTION 1. Between the first day of May and the first day of August in each year, (unless further time shall be granted by the Common Council) the Assessors shall ascertain the name of all the taxable persons in the city, and also all their taxable property, and all taxable estate therein, on the first day of May of each year, and shall make an assessment roll of all such taxable property, and appraise the same in the manner specified by the general laws of this state.

Charter Chap. 9, Sec. 1.

See Chap. 48 Revised Statutes.

**Notice of re-
vision of as-
sessment.** SECTION 2. When such assessment rolls shall be completed, the assessor shall give notice thereof in some newspaper published in the city, in which notice he shall fix some convenient time and place where he will be present for the purpose of hearing any objections of parties deeming themselves aggrieved by such assessment; and after such hearing, the Assessor shall make such alterations or revisions in such assessment roll as justice or equity may require.

Charter Chap. 9, Sec. 2.

**Return.
When to be
made.
Equalization** SECTION 3. Within two weeks after the day fixed by the Assessor for the revision of the assessment roll as aforesaid, such Assessor shall return such roll to the Common Council, which shall have power to supply omissions therein, and for the purpose of equalizing the same may alter, add to, take from, or otherwise correct and revise the same, *Provided* the Common Council shall not have power to increase the aggregate amount of said roll except by the value of such property, real or personal, as may have been omitted by the assessor.

Charter Chap. 9, Sec. 3.

See Sec. 1060 Revised Statutes, Chap. 74, Laws 1881.

**Con firm a-
tion.** SECTION 4. When the assessment roll shall have been revised and corrected or equalized by the Common Coun-

cil, the same shall be confirmed by an order of the Council and filed with the clerk. Thereupon the Common Council shall by resolution levy such sum or sums of money as may be sufficient for the several purposes for which taxes are herein authorized to be levied, which resolutions shall specify the general purposes for which such sums are levied.

Charter Chap. 9, Sec. 4.

SECTION 5. All taxes and assessments, general or special, levied or assessed by the Common Council under this act, shall be a lien upon the real estate upon which the same may be imposed, voted, or assessed, for two years from and after the corrected assesment roll shall have been confirmed, and on personal estate from and after the delivery of the warrant for the collection thereof, until paid, and no sale or transfer shall affect the lien ; and any personal property belonging to the debtor may be taken and sold for the payment of taxes of real or personal estate, any law of this state to the contrary notwithstanding.

When taxes
to be a lien.

Persona
property.
When may
be taken.

Charter Chap. 9, Sec. 5.

SECTION 6. The Clerk shall issue a warrant for the taxes and shall attach such warrant to a book, in which book, shall be ruled separate columns, in which the taxes levied, with five per cent. for the cost of collection shall be respectively set down opposite the name of the person or real estate subject thereto, and each column shall be headed with the name of the tax therein set down. All such warrants, whether issued for the collection of general or special taxes and assessments shall be signed by the Mayor and Clerk with the corporate seal thereto affixed, and the book to which the same is attached, to be designated as the tax lists, shall contain true and perfect copies of the corrected assessment rolls upon which such warrants may be respectively issued, and such tax list with the warrant affixed, shall be delivered to the Treasurer of the city for collection each year, within such time as the Council may prescribe. A record of

Clerk to is-
sue warrant.

such delivery in the book kept for the record of the proceedings of the Common Council, attested by the Clerk, shall be sufficient evidence of such delivery.

Charter Chap. 9, Sec. 6.

See Sec. 1081, R. S.

List to be compared and to be evidence.

SECTION 7. But such tax list before being delivered to the Treasurer shall be compared by the Clerk, with the assessment roll as confirmed, and to it he shall append his certificate, that the same has been compared by him, and that such tax list includes a true copy of said assessment roll and of the whole thereof; and the said tax list, when so certified, shall be *prima facie* evidence in any court that the lands and persons therein named were subject to taxation and that the assessment was just and equal.

Charter Chap. 9, Sec. 7.

Treasurer's notice of collection,

SECTION 8. Upon receipt of the tax list as aforesaid, it shall be the duty of the Treasurer of said city to give public notice in some newspaper printed in said city, that such tax list has been committed to him for the purpose of collecting the taxes therein, and that he will receive the payment of taxes at his office in said city, until the last Monday in February in each year, when the same will be returned to the County Treasurer for collection; and the publication of such notice shall be deemed a demand, and a neglect to pay the taxes and assessments within the time specified shall be deemed a refusal to pay the same.

What deemed a demand and refusal.

Charter Chap. 9, Sec. 8.

Annual returns to county treasurer. How made.

SECTION 9. Returns of all unpaid taxes, for all purposes whatever in the city, shall annually be made by the City Treasurer to the County Treasurer, in the same manner as is, or may be provided by statute, in the case of unpaid town taxes, but the time of making such return shall be governed by this act.

Charter Chap. 9, Sec. 9, amended by Sec. 2, Chap. 356, P. and L. Laws 1870, which was repealed by Chap. 49, Laws 1874.

SECTION 10. The five per cent. for costs of collection annually returned by the City Treasurer upon all unpaid state and county taxes, together with the interest on said taxes until the lands on which said taxes are levied shall be sold, or the taxes be otherwise collected, shall be retained by the County Treasurer for the benefit of the county, and no portion of said five per cent. and interest shall be repaid to the city; and of the five per cent. for costs of collection, annually returned by the City Treasurer upon all other unpaid taxes, two per cent. shall be retained by the County Treasurer, for the use of the county; and the remaining three per cent. together with the interest on such unpaid taxes, shall be accounted for by the County Treasurer and repaid to the city when collected, in the same manner that other taxes are accounted for and repaid to the city.

Five per cent. to be repaid by county treasurer, when collected.

*Charter Chap. 9, Sec. 10. as amended by Chap. 173
Gen. Laws 1865.*

SECTION 11. The Assessor, Clerk, and Treasurer elected under this act shall severally have and possess the same powers, and be subject to the same duties and liabilities, as are or may be conferred or imposed upon such officers respectively by the laws of this state, except as otherwise specifically provided in this act; *Provided, however*, That the Common Council shall have power by ordinance to prescribe the powers (form) of assessment rolls, and more fully define the duties and liabilities of said officers, and make such rules and regulations respecting them as they may from time to time deem advisable.

Assessor, clerk and treasurer. When to be governed by statute.

Charter Chap. 9, Sec. 11.

SECTION 12. The compensation of the City Treasurer shall not exceed a commission of two per cent. upon all moneys he shall receive, and two per cent. upon all moneys he shall pay out in his official capacity.

Treasurer's compensation.

Charter Chap. 9, Sec. 12.

SECTION 13. No tax or assessment herein provided for shall become invalid by reason of any mere inform-

Informalities not to impair tax.

CITY OF KENOSHA.

ality on the part of any officer in the discharge of his duties, as herein, or by general laws prescribed, and in case any real or personal estate in said city, justly and legally liable to taxation in any one year, by reason of any such informality, or of any accident or other cause, may have been or shall be legally discharged from the payment of any such just and equitable tax, whether for want of power to sell, give (or) deed or other reason, the City Council may on sufficient and conclusive evidence of such fact, add the amount of such tax to the assessment roll of any succeeding year; whereupon the same shall be collected on such real or personal estate in the same manner as other taxes, and in the same manner as if no such informality, accident or other cause had occurred.

Charter Chap. 9, Sec. 13.

CHAPTER X.

FIRE DEPARTMENT.

SECTION 1. The Common Council for the purpose of guarding against the calamities of fire, shall have power to prescribe the limits within which wooden buildings shall not be erected or placed or repaired, without the permission of the Common Council, and to direct that all and any buildings within the prescribed limits, shall be made and constructed of fire proof materials.

Charter Chap. 10, Sec. 1.

SECTION 2. The Common Council shall also have power

May regulate stoves, etc.

1st. To prevent the dangerous construction and condition of chimneys, fire places, hearth-stones, stove-pipes, ovens, boilers and apparatus used in and about any building or manufactory and cause the same to be removed or to be placed in a secure and safe condition when considered dangerous.

May prevent deposit of ashes, etc

2d. To prevent the deposit of ashes, and to regulate

and prevent the use of fire-works and fire-arms in unsafe places.

3d To require the inhabitants to provide fire buckets, and to regulate the use of them. May regulate use of fire buckets.

4th. To compel the owner or occupants of buildings to have scuttles in the roofs, and stair or ladders leading to them. May compel access to roof, etc.

5th. To compel such persons as they may deem proper to aid in the extinguishment of fires, and in the preservation of property exposed to damage. May compel services at fires, etc.

6th. To appoint one or more officers to enter into all buildings and enclosures, to discover whether the same are in a dangerous state, and to cause such as may be dangerous to be put in a safe condition. May secure dangerous buildings.

7th. And generally to establish such regulations for the prevention and extinguishment of fires as the Common Council may deem expedient. General powers.

Charter Chap. 10, Sec. 2.

SECTION 3. The Common Council may procure fire engines, and other apparatus used for the extinguishment of fires, and have the charge and control of the same, and provide engine-houses, and the buildings necessary for the preservation and safe-keeping of the same. Fire engines. Who to purchase and control.

Charter Chap. 10, Sec. 3.

SECTION 4. The Common Council may organize fire, hose, and hook and ladder companies, and appoint during pleasure a competent number of firemen to take the care and management of the engines, and other apparatus and implements used and provided for the extinguishment of fires; and may prescribe the duties of firemen, and make rules and regulations for their government, imposing reasonable fines and forfeitures for violating the same. Fire companies. How organized.

Charter Chap. 10, Sec. 4.

SECTION 5. The Common Council may prescribe the duties of chief and assistant engineers of the fire department, who shall have the care and management of Engineers, duties of.

such department.

Charter Chap. 10, Sec. 5.

Firemen.

SECTION 6. The firemen appointed under this act, shall during their term of service as such, be exempt from serving on juries in all courts of this State and be exempt from working out any highway tax.

Charter Chap. 10, Sec. 6.

Firemen to be registered.

SECTION 7. The name of each fireman shall be registered with the City Clerk, and the evidence to entitle every such fireman to the exemptions provided in the preceeding section, shall be the certificate of the Clerk, made within the year during which such exemption is claimed.

Charter Chap. 10, Sec. 7.

CHAPTER XI.

BOARD OF EDUCATION.

School district.

SECTION 1. All that territory now lying within the corporate limits of the city of Kenosha, together with such territory as is hereinafter provided, shall constitute one school district, to be denominated "The City of Kenosha School District."

Charter Chap. 11, Sec. 1.

Territory annexed for school purposes.

SECTION 2. All that portion of territory lying in the town of Pleasant Prairie adjoining the corporate limits of the city of Kenosha, and which is now annexed to the city of Kenosha, for school district purposes, shall continue to be so annexed for such purposes and in like manner all that portion of territory lying in the town of Somers, adjoining the city of Kenosha, and which is now annexed to the city of Kenosha for school purposes, shall continue to be annexed for such purposes.

Charter Chap. 11, Sec. 2.

Vacancies. How filled.

SECTION 3. The City Council shall have power to fill any vacancy that may occur in the office of Commissioner of Schools, and the person so appointed, shall

hold his office until the next ensuing election for such officers.

Charter Chap. 11, Sec. 3, as amended Chap. 164, P. and L. Laws of 1859.

SECTION 3, a. The office of Superintendent of Public Schools of the city of Kenosha shall be filled by appointment by the Board of School Commissioners of said city, and the powers and duties and the tenure of office of said Superintendent shall be the same as now provided by law. Superintendent. How appointed.

Chap. 164, P. and L. Laws 1859.

SECTION 4. Any School Commissioner may be removed from office for official misconduct by the City Council by a vote of two-thirds of the members thereof; but such commissioner shall be granted a full and free hearing before being removed. School commissioners. How removed.

Charter Chap. 11, Sec. 4.

SECTION 5. The Commissioner (s) of schools of said city and the Superintendent thereof shall constitute a Board of Education, which board shall be a corporate body in relation to all the powers and duties conferred upon them by virtue of this act; a majority of said board shall form a quorum for the transaction of business. At their first meeting after the annual election they shall elect one of their number President, and whenever the President shall be absent or unable to serve, a president *pro tem* may be appointed. The Superintendent of Schools shall be Clerk of the Board of Education, unless he shall be absent or unable to serve, in which case the board may appoint a Clerk *pro tem*. No member of the Board of Education, except the Clerk, shall be allowed any compensation for any of the services prescribed in this act; the Clerk shall receive such compensation as may be agreed upon by the board. Corporate powers. Election of president. Superintendent to be clerk of the school board.

Charter Chap. 11, Sec. 5.

SECTION 6. The Clerk shall keep a record of the proceedings of said Board of Education, which record Record of proceedings.

When to be
evidence. or a transcript thereof, certified by the said Clerk and President, shall be received in all courts as *prima facie* evidence of the facts therein set forth.

Charter Chap. 11, Sec. 6.

Annual tax.
How to be
raised.

SECTION 7. The City Council shall have power and it shall be their duty to raise, on or before the first Monday of September in each year, by tax on the real and personal estate in said district, such sum or sums as may be recommended by the Board of Education to be necessary or proper for any of the following purposes :

1st. To purchase, lease or improve sites for school houses.

2d. To build, purchase, lease, enlarge, alter, improve, and repair school houses, and their out-houses and appurtenances.

3d. To purchase, improve and repair school apparatus, books, furniture and appendages.

4th. To procure fuel and defray the contingent expenses of the schools and the district library.

5th. To pay the wages of teachers, due after the application of the public moneys which may by law be appropriated and provided for that purpose.

6th. To provide for the payment of any indebtedness which may have been lawfully incurred by said district.

Charter Chap. 11, Sec. 7.

Liabilities.

SECTION 8. All debts and liabilities legally incurred or contracts legally entered into by the district board of district number one of the city of Kenosha, shall be assumed and carried out by the Board of Education, the same as the said district board would have been required to do had this act not been passed. The City Council shall cause the taxes provided for in this act, to be levied and collected annually, on all such real and personal property or capital of any kind, within the limits of said district as is subject to taxation by the laws of this state for general purposes, and said taxes shall be collected in the same manner as the annual taxes of said city are levied and collected.

Levy of taxes.

Charter Chap II, Sec. 8.

SECTION 9. All moneys raised in pursuance of the provisions of this act shall be paid into the city Treasury, and it shall be the duty of the Treasurer of said city to apply for, and receive from the County Treasurer, all moneys that may come into the hands of said County Treasurer from the state school fund, apportioned to said district, and also all moneys that may come into the County Treasurer's hand from other sources for school purposes and belonging to said district; and the said treasurer shall be liable to the same penalties for any official misconduct in relation to any school moneys which may come into his hands in like manner as for moneys belonging to the city of Kenosha. The said City Treasurer shall be allowed not exceeding one-half of one per cent. for receiving and distributing the moneys which may come into his hand from the state school fund, apportioned for said district.

City treasurer to receive and disburse school moneys.

His compensation.

Charter Chap. II, Sec. 9.

SECTION 10. The City Treasurer shall not pay out any of the moneys in his hands received from the state or county for school purposes, or any money leased (levied) and collected by any of the provisions of this act, except by an order drawn upon him, signed by the President and Clerk of the board: *Provided*, That no such order shall be drawn except by a resolution of said board.

Treasurer to pay no money without order.

Charter Chap. II, Sec. 10.

SECTION 11. The Board of Education shall have power, and it shall be their duty, as follows:

Specific powers of board.

1st. To establish and organize such and so many schools in said city, in addition to the schools now established therein, as they shall deem necessary.

May establish schools.

2d. To purchase or hire school houses, rooms, and lots, or sites for school houses, and to fence and improve the same.

May improve houses.

3d. Upon such lots or sites, and upon any lots now

May repair or build structures.

occupied for school purposes, to build, enlarge, alter, improve and repair school houses, out-houses, and appurtenances, as they may deem necessary and proper.

May provide
books, fuel,
etc.

4th. To purchase books for indigent children, to purchase and repair school apparatus, furniture, and appendages, to provide fuel for the schools, and to defray their contingent expenses and the expenses of the district library.

May keep
furniture
and append-
ages

5th. To have the custody and safe-keeping of the school houses, out-houses, books, furniture, and appendages, and to see that the ordinances of the City Council in relation thereto are enforced.

May con-
tract with
and remove
teachers.

6th. To contract with and employ all teachers in the schools who shall have been licensed by the Superintendent of schools, and to remove such teachers when they shall deem it necessary.

May pay
teacher's
wages.

7th. To pay the wages of teachers out of the school moneys which shall have been apportioned to or received by the said city so far as the same shall be sufficient, and the residue thereof from any moneys authorized to be raised for that purpose by the provisions of this act.

To make
and change
school regu-
lations.

8th. To adopt, alter, modify and repeal, from time to time as they may deem expedient, such rules and regulations for the organization, government and instruction of the schools as they may deem necessary ; to regulate the reception of pupils, their graduation into classes, and the transfer of pupils from one school into another, and generally to promote the good order and welfare of the schools.

To report
ordinances
to council.

9th. To prepare and report to the City Council, such ordinances and regulations as may be necessary for the protection, safe-keeping, care and preservation of school houses, lots, fences, shade trees and other appurtenances, and all property connected with and appertaining to the schools, and to suggest proper penalties for the violation

To certify to
council an-
nual sum to
be raised.

of such ordinances and regulations ; to determine and certify to the City Council on or before the first Monday of August in each year, the sum, in their opinion, neces-

sary to be raised, for school purposes under the provisions of this act, specifying the sum required for each of the purposes therein mentioned.

Charter Chap. 11, Sec. 11.

SECTION 12. The said Board of Education shall have power to allow the children of persons, not resident within the district, to attend the schools in said city, which are under the control of said board, upon such terms as the said board shall by resolution prescribe, fixing the tuition that shall be paid for such attendance.

Charter Chap 11, Sec. 12.

SECTION 13. The said board shall have care and direction of the school district library, and they shall have power to disburse any moneys appropriated by any laws of this state for school libraries. It shall be their duty to provide a library room and appoint a librarian, and make regulations in respect to such library as they shall deem expedient : they may also remove from such library all such books as they may deem of an improper character to be read by children of the district.

Charter Chap 11, Sec. 13.

SECTION 14. It shall be the duty of said Board of Education, at least fifteen days before the annual election on the first Tuesday of April, to prepare and report to the Common Council a true and correct statement of the receipts and disbursements under and in pursuance of the provisions of this act, during the preceding year, in which statement shall be mentioned under the appropriate heads, as follows :

1st. The amount of school moneys received from the state school fund.

2d. The amount of money received arising from the county taxes for school purposes.

3d. The amount of moneys received from school district taxes levied for school purposes.

4th. All other moneys received by the City Treasurer for school purposes, specifying the sources.

5th. The manner in which the moneys drawn from

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the treasury for school purposes have been expended, specifying the amount paid for each expenditure under appropriate heads.

Charter Chap. 11, Sec. 14.

Board subject to rules of state superintendent.

SECTION 15. The said Board of Education shall be subject from time to time to the rules and regulations made by the State Superintendent of Schools, so far as the same may be applicable and not inconsistent with the provisions of this act.

Charter Chap. 11, Sec. 15.

City superintendent to examine teachers.

SECTION 16. The City Superintendent shall examine all teachers making application to teach in the public schools of said city, which examinations shall be made in presence of the Board of Education, if desired by said board ; all certificates granted by said Superintendent shall be in form as prescribed by the State Superintendent.

School visitations. When to be made.

The City Superintendent shall visit schools at least twice during each term, and report their condition to the Board of Education, with such suggestion for their improvement as he may deem proper immediately after the close of each term. He shall also make such suggestions to the said board as he may deem necessary for improving and repairing school houses, grounds, fences and appurtenances thereunto belonging. The amount of the Superintendent's compensation shall be determined by the Board of Education.

Charter Chap. 11, Sec. 16.

Superintendent's annual report to supervisors.

SECTION 17. The City Superintendent shall between the first and fifteenth days of October in each year make and transmit to the Clerk of the Board of Supervisors a report in writing, bearing date the first day of October in the year of its transaction (transmission), which report shall in form be such as is now required by law to be made annually by Town Superintendents of Schools, and transmitted to the said Clerk.

Charter Chap. 11, Sec. 17.

Ordinances for protection of school houses.

SECTION 18. The City Council shall have power to pass such ordinances and regulations as the Board of

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Education may report as necessary and proper for the protection and safe-keeping, care and preservation of the school houses, lots, appurtenances and all property belonging to or appertaining to the schools, and also to impose proper penalties for the violation thereof. All such penalties shall be collected in the same manner as the penalties for a violation of a city ordinance, and when so collected shall be paid to the Treasurer of said city and be subject to the Board of Education in the same manner as other moneys raised pursuant to the provisions of this act.

Charter Chap. 11, Sec. 18.

SECTION 19. The title to all school houses, lots, furniture, books, apparatus and appurtenances, shall be vested in the city of Kenosha, and the same while used and appropriated for school purposes, shall not be levied upon or sold by virtue of any warrant or execution for the payment of any debt contracted or liability incurred, except for school purposes, nor shall the same be subject to taxation for any purpose whatever, and the said city in its corporate capacity shall have power to take, hold and dispose of any real or personal estate transferred to it by gift, grant, bequest, or devise, for the use of public school (s) of said district.

Title to
buildings,
etc., vested
in city.

Charter Chap. 11, Sec. 19.

SECTION 20. All moneys required to be raised by the provisions of this act, on being raised as herein provided shall be held by the Treasurer of the city of Kenosha, and by him placed to the credit of the Board of Education, and shall be drawn out in pursuance of a resolution of said board, by orders drawn by the President and countersigned by the Clerk of said board, payable to the order of the person or persons entitled to receive such moneys; and the said Treasurer shall keep the funds authorized by this act to be received by him, separate and distinct from any funds that he is or may by law be authorized to receive.

Funds. By
whom to be
held.

Their dispo-
sition, etc.

Charter Chap. 11, Sec. 20.

When city clerk to deliver statement to town clerks, of taxes levied, etc.

SECTION 21. The City Clerk shall, on or before the fourth Monday of November in each year, deliver to the Town Clerk of any town adjoining the city of Kenosha, in which there shall be any part of district or territory annexed to the public school district of said city, a statement in writing verified by his affidavit, showing the whole amount of taxes levied by the City Council for the current year, for the school purposes authorized by this act ; such (a) statement shall contain a list of all corporations and descriptions of property liable to a school district tax, together with the proportion of tax to be assessed, in any such part of district or territory annexed as aforesaid. Such proportion shall be ascertained from the valuations contained in the last assessment roll of such town, and to enable the said Clerk to ascertain the same, the Town Clerk of each town shall, on demand at

Town clerks when to deliver to city clerk statement of valuation.

any time after he has received the assessment of his town for that year, deliver to the said City Clerk a certified statement of the valuation of real and personal property in that part of district or territory annexed to the said city for the purposes aforementioned.

Charter Chap. 11, Sec. 21.

Town clerk's duty.

SECTION 22. The Town Clerk receiving the statement mentioned in the last preceeding section, shall assess such tax, or the due proportion thereof, upon the real and personal property liable thereto, placing the same in a separate column in the assessment roll of his town, delivered to the Town Treasurer for collection, and such tax shall be collected, or returned in all respects as other taxes and when collected the money shall be paid over to the City Treasurer of the city of Kenosha.

Charter Chap. 11, Sec. 22.

Adding additional territory.

SECTION 23. Whenever it shall be necessary and expedient to add any additional territory to the Kenosha public school district, from any adjoining town or to set off any territory now annexed, or to alter the boundaries of any such territory, the Town Superintendent of any such town, to be affected by any such annexation, alter-

ation or setting off, and the Superintendent of the city of Kenosha shall meet together, and when so met shall possess the same powers as are now by law conferred on Town Superintendents of adjoining towns to make such regulations and alterations of boundaries as may be deemed necessary and proper.

Charter Chap 11, Sec. 23.

CHAPTER XII.

RAILROAD COMMISSIONERS.

Repealed by Chap. 148 P. and L. Laws 1859, which provides for the appointment of a Railroad Commissioner by the Council.

CHAPTER XIII.

LEGAL PROCEEDINGS.

SECTION 1. All actions brought to recover any penalty or forfeiture incurred under this act, under the ordinances, by-laws, or police regulations made in pursuance of it shall be brought in the corporate name. It shall be lawful to declare generally in debt for such penalty or forfeiture, stating the clause of this act, the by-laws, ordinances or regulations under which the penalty or forfeiture is claimed, and to give the special matter in evidence under it.

Actions, how brought.

Charter Chap. 13, Sec. 1.

SECTION 2. In all suits for any violation of any ordinance, by-law, or police or other regulation, the first process may be by warrant.

When process to be by warrant.

Charter Chap. 13, Sec. 2.

SECTION 3. Either of the Justices of the Peace in said city shall have jurisdiction in any action for the recovery of any fine or penalty not exceeding one hundred dollars, under this act, or ordinance, by-laws or police regulations of the City Council, anything in the laws of this state to the contrary notwithstanding, and either of said justices shall have power to fine or imprison, or

Jurisdiction of justices.

both, in their discretion, when such discretion, may be vested in them by any such ordinance or regulation, or by this act.

Charter Chap. 13, Sec. 3.

Execution.
When to issue.
Defendant.
When may be imprisoned.

SECTION 4. Execution may issue immediately on the rendition of judgment; if the defendant in any such action have no goods or chattels, lands or tenements whereof the judgment can be collected, the execution may require the defendant to be imprisoned in the jail of Kenosha county for such time, not exceeding sixty days, as may be prescribed by ordinance. And if the Mayor of the city shall at any time deem it for the interest of the city, he may employ the prisoner or prisoners committed under such execution, outside of the jail, or yard thereof, at labor upon the public streets, grounds and wharves of said city, and in all such cases the Mayor shall detail a sufficient police force to watch and guard the prisoners so employed.

Charter Chap. 13, Sec. 4, as amended by Chap. 185 P. and L. Laws 1871.

Costs. To whom to be paid.

SECTION 5. All costs incurred in prosecuting for the recovery of any penalty or forfeiture under this act, or any ordinance, by-law, or regulation of the city, when collected shall be paid to the Treasurer for the use of the city.

Charter Chap. 13, Sec. 5.

Who deemed an incompetent witness, etc.

SECTION 6. No person shall be an incompetent Justice, Commissioner, witness, or juror by means of his being an inhabitant or free-holder in the city of Kenosha, in any action or proceeding in which the said city shall be a party in interest.

Charter Chap. 13, Sec. 6.

Printed copies. When evidence.

SECTION 7. A printed copy of an ordinance, by-law, or resolution, purporting to be printed by authority of the Common Council, shall be *prima facie* evidence, in any court, of its due passage and publication and may be received in evidence.

Charter Chap. 13, Sec. 7.

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SECTION 8. This act shall be deemed a public act, ^{Public act.} and may be read in evidence without proof, and judicial notice shall be taken thereof in all courts and places.

Charter Chap. 13, Sec. 8.

SECTION 9. All officers of the city created conserva- <sup>Peace off-
cers. Powers
of.</sup> tors of the peace by this act, shall have power to arrest or cause to be arrested, with or without process, all persons who shall break, or threaten to break the peace, or to violate any city ordinance or police regulation, commit for examination, and if necessary detain such person in custody one night in the county jail or other safe place, and shall have and exercise such other powers, as conservators of the peace, as the Common Council may prescribe.

Charter Chap. 13, Sec. 9.

SECTION 10. No penalty or judgment recovered in <sup>Remitting
penalties.</sup> favor of the city, shall be remitted or discharged without a vote of two-thirds of all the Aldermen elect.

Charter Chap. 13, Sec. 10.

SECTION 11. Whenever any suit or action shall be <sup>Actions
against city.
How com-
menced.</sup> commenced against said city, the service thereof may be made by leaving a copy of the process by the proper officer with the Mayor or Clerk, whose duty it shall be forthwith to inform the Council thereof, or to take such other proceedings as by the ordinances and resolutions of said Council may in such case be provided.

Charter Chap. 13, Sec. 11.

CHAPTER XIV.

MISCELLANEOUS PROVISIONS.

SECTION 1. All ordinances, regulations and resolu- <sup>Existing or-
dinances.</sup> tions now in force in the city of Kenosha, and not inconsistent with this act, shall remain in force under this act, until altered, modified, or repealed by the Common Council after this act shall take effect.

Charter Chap. 14, Sec. 1.

SECTION 2. All actions, rights, fines, penalties. for- <sup>Actions,
rights, etc.,
to survive.</sup>

feitures, in suit or otherwise, which have accrued under the several acts constituted (consolidated) herein, shall survive to and be vested in and prosecuted by the corporation hereby created.

Charter Chap. 14, Sec. 2.

Property
vested in
new corpo-
ration.

SECTION 3. All property, real, personal, or mixed, belonging to the city of Kenosha, is hereby vested in the corporation created by this act.

Charter Chap. 14, Sec. 3.

Officers to
hold over
their full
term.

SECTION 4. All officers of the city of Kenosha now in office shall respectively continue in the same for the several terms for which they were elected or appointed, but shall be governed in their official actions by this act after it shall take effect.

Charter Chap. 14, Sec. 4.

Act not to
affect any
proceeding
had before
it shall take
effect

SECTION 5. This act shall not invalidate any legal act done before this act shall take effect by the Common Council of the city of Kenosha or by the officers of said city; nor divest their successors under this act of any rights of property or liability which may have accrued to, or been created by said corporation given (prior) to the passage of this act.

Charter Chap. 14, Sec. 5.

General
laws of state
in contra-
vention
must be ex-
press.

SECTION 6. No general law of this state, containing (contravening) the provisions of this act shall be considered as repealing, amending or modifying the same, unless such purpose be expressly set forth in such laws.

Charter Chap. 14, Sec. 6.

Repealing
clauses.

SECTION 7. "An act to incorporate the city of Kenosha, approved February, 8th, 1850;" "An act to extend the corporate limits of the city of Kenosha, approved February 17th, 1851;" "An act to amend an act to incorporate the city of Kenosha, approved March 3d, 1857. (March 8th, 1851);" "An act to amend an act entitled an act to incorporate the city of Kenosha, approved March 19th, 1852;" "An act to amend the charter of the city of Kenosha, approved March 23d, 1853;" and all other acts of the legislature of this state, so far

as each or either of them, conflict with this act are hereby repealed.

Charter Chap. 14, Sec. 7.

SECTION 8. This act shall take effect from and after its passage.

Charter Chap. 14, Sec. 8.

Approved March 2d, 1857.

AUDITING BOARD.

Chapter 138 Laws of 1878 adds to the Charter the following sections:

SECTION 1. The Mayor of the city of Kenosha shall annually appoint one alderman from each ward of said city to constitute a member of a committee to be known as "The Auditing Board ;" and said Mayor shall, in case of any vacancy in said board, have power at any time to fill such vacancy by appointment, *Provided*, that the Alderman so appointed shall have been elected from the same ward as the member whose place he is appointed to fill. The Mayor shall constitute a member of said board, and may preside over the same ; said board may elect a chairman to preside in the absence of said Mayor. The City Clerk shall act as Clerk of said board, and shall keep a record of its proceedings.

Auditing
Board.

SECTION 2. Whenever, for any reason, vacancies shall occur in the Common Council so that there are not enough Aldermen to constitute a quorum for the transaction of business, the said Auditing Board shall be empowered to audit and allow accounts against said city for the current expenses thereof and claims for damages awarded by Commissioners upon the condemnation of land for public purposes ; and when allowed, orders shall be drawn on the Treasurer therefor, to be signed and paid in manner and form as now provided in case of city orders ; *Provided*, that it shall require the affirmative votes of four members of said board to pass any measure involving an expenditure of money, but in other cases, a majority of said board voting in the affirmative shall be sufficient. Said board is also authorized to canvass the returns of all votes cast at any election where a

Powers and
Duties.

CITY OF KENOSHA.

canvass is now required by law of the Common Council, and shall determine and declare the result of such election, and in case of the election of city or ward officers, the City Clerk shall issue certificates of election to the persons so declared by said board to have been elected. Said board shall also have all powers conferred by law upon the Common Council of said city in relation to the police, fire department, nuisances, pauper affairs, streets, alleys and bridges, excise, and the public health and a majority of said board may compel the attendance of absent members, and may have the same power as the Common Council to order a special election for city and ward officers.

Restriction
of Powers.

SECTION 3. Said Auditing Board shall have none of the powers hereinabove enumerated at any time when there is a quorum of the Common Council in existence.

Shall not
levy tax.

SECTION 4. Said Auditing board shall have no power to levy any tax for any purpose whatever.

Judgment.
How paid.

SECTION 5. Whenever a final judgment shall be rendered against said city of Kenosha, it shall be the duty of the Common Council upon proof of a certified copy of such judgment being filed with the City Clerk, and before the next tax roll is completed to levy a tax upon the real and personal property of said city for the amount of said judgment, with interest, and cause such amount to be placed and extended to said next tax roll for the collection of city taxes in a separate column, and such tax shall be collected in the same manner as other taxes: *Provided*, that no such tax to pay any judgment shall be levied or placed in the tax roll except by vote of the Common Council.

REANNEXATION.

The remainder of Chapter 112 P. & L. Laws of 1859 referred to on page 1 of this revision is as follows:

Power of
Common
Council.

SECTION 2. The Common Council shall have power at any time after the expiration of two years from the passage of this act, to re-annex to said city the part so annexed to the town of Pleasant Prairie, on the follow-

ing conditions : 1. In case the proprietors of the lots and lands of the part of said city annexed shall neglect for two years from the passage of this act, to build and maintain sufficient breakwaters for the preservation of the banks along the shore of Lake Michigan, within the limits of that part annexed, to be determined as hereinafter provided. Or, 2. In case such work shall be constructed, and the city shall pay the cost of constructing the same as hereinafter provided ; then, in either case, the City Council shall have power to re-annex the same.

SECTION 3. In order that there shall arise no misunderstanding as to whether the work has been completed within two years, as mentioned in section two of this act, the proprietors of the lots and lands of the part annexed on one part, and the City Council on the other part, shall each choose one disinterested person, and the two thus chosen shall choose a third person, and the persons so chosen shall be authorized to determine whether the work has been built and is sufficient to answer the purposes contemplated in section two, and their determination shall be final between the parties. Arbitration.

SECTION 4. If the persons so authorized shall decide the work to be sufficient, then and in that case, it shall be lawful for the City Council, on payment of the cost of such work, with ten per cent. interest thereon, to re-annex the same part as is hereby annexed, and when so re-annexed, shall become and remain as much a part of said city as before the passage of this act. Decision etc

SECTION 5. For the purpose of determining the amount which the city shall be required to pay on re-annexation, the proprietors of lots and lands included in the part annexed, shall present to the City Council all claims for work, materials, or other expenses incurred in constructing the improvement, by them severally expended, duly certified for allowance, and the Clerk of the City Council shall enter the amount so allowed to the persons thereto entitled, in a book to be kept for that purpose ; but no account shall be received or allowed if Expense of improvement, etc.

not duly presented and proved within six months after the time limited for the completion of the work.

Time and
place of pay-
ment.

SECTION 6. Whenever the City Council shall determine to re-annex, as provided in section two, they shall pay to the persons whose claims have been audited as provided in section five, or their legal representatives, the amounts so audited, with interest at the rate of ten per cent. from the date when the same were audited to the time of such payment. *Provided*, That the City Council shall cause notice to be published in some newspaper printed in said city, for at least four weeks before the time of such payment, of the time and place when and where such payments will be made.

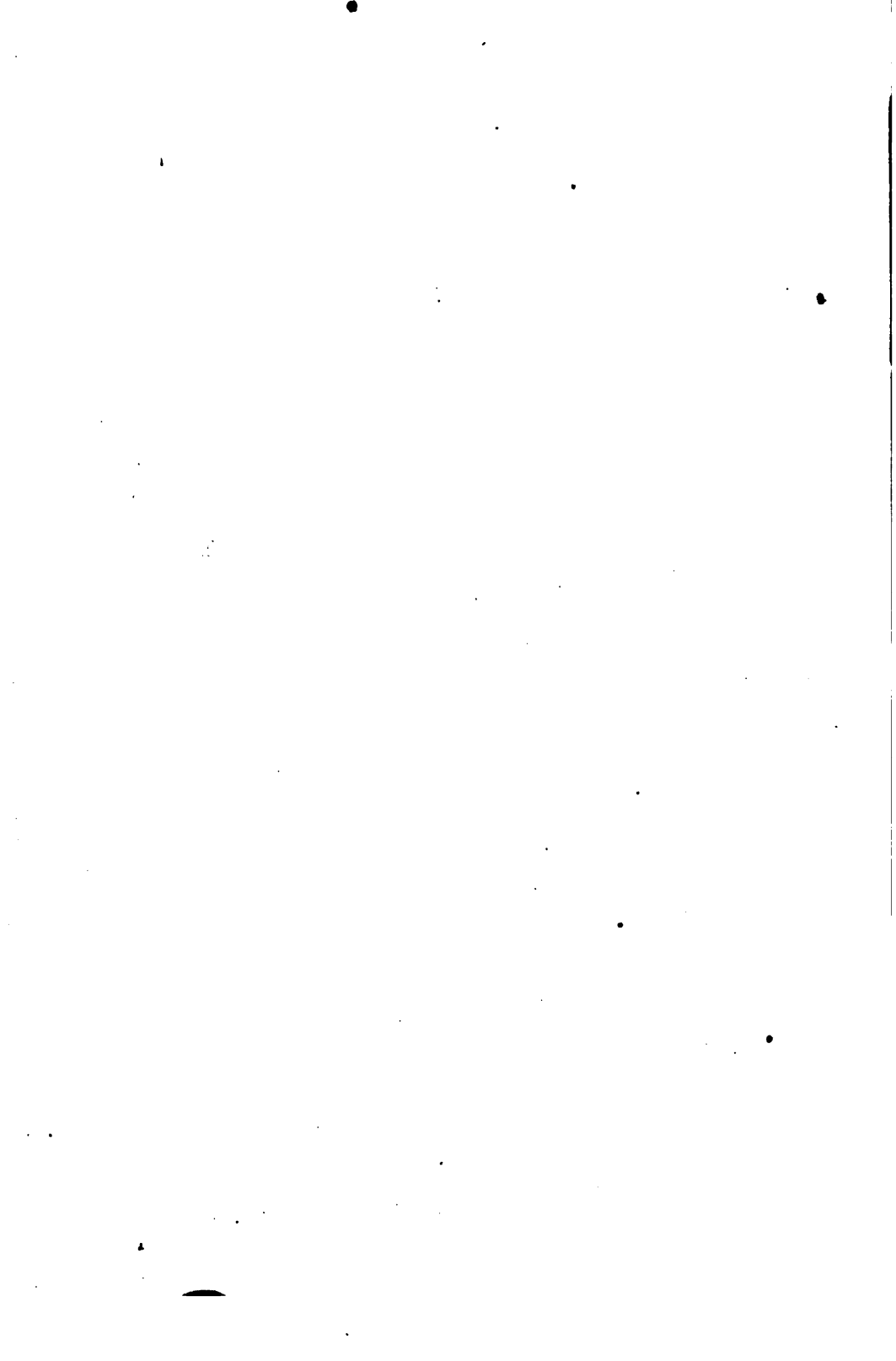
SECTION 7. This act shall be in force from and after its passage and publication.

Approved March 14, 1859.

The following acts have been passed authorizing the city to refund its bonded indebtedness :

Chap. 152 P. & L. Laws 1862, which was repealed by Chap. 114 Gen. Laws 1863. A new act was passed in Chap. 114 Gen. Laws 1863. A further act in Chap. 407 Laws 1868, was amended by Chap. 172 Laws of 1880. Sec. 960 *a, et. seq.* R. S. 1878 also provide in general terms for refunding by cities.

RULES
OF THE
COMMON COUNCIL.



Rules of the Common Council.

—o—

1st. The Mayor or presiding officer, shall at the ap-^{Duty of}
pointed hour of meeting call the City Council to order; Mayor.
and if a quorum be present, he shall direct the minutes
of the preceding meeting to be read, corrected, if nec-
essary, and approved. It shall be the duty of the Mayor
or presiding officer, to preserve order and decorum, and
to decide all questions of order, subject to an appeal to
the Common Council.

2d. The order of business, after the reading of the^{Order of}
minutes shall be as follows : business.

1. The presentation of petitions.
2. The reports of standing committees.
3. Reports of select committees.
4. Communications to the Common Council.
5. Unfinished business of preceding meeting.

3d. When a motion is made and seconded, it shall be^{Rule in}
stated by the presiding officer, or read by the Clerk, regard to
previous to being debated or acted upon by the Common motions.
Council. If any member require it, all motions (except
to adjourn, postpone or commit) shall be reduced to
writing. Any motion may be withdrawn by consent of
the Common Council before discussion or amendment.

4th. Every member present when a question is put^{Members to}
shall vote, unless the Common Council shall, from some vote unless
special cause, excuse him, or unless he shall be directly interested.

interested in the question ; in which case he shall not vote.

In regard to adjournment and previous questions.

Duty of member in speaking.

Chair to decide in certain cases

Restriction in speaking.

Speaker not to be interrupted.

Division of question.

Filling of blanks.

Privilege questions.

Previous questions.

Ayes and noes.

Name of member to be entered.

5th. A motion to adjourn shall always be considered in order, and, together with a call for the previous question, shall be decided without debate.

6th. When any member is about to speak in debate, or make report of any matter to the Common Council, he shall rise from his seat and address himself to the presiding officer, and shall confine himself to the subject matter under consideration, and avoid personalities.

7th. When two or more members rise to speak at once, the presiding officer shall name the member who is first to speak.

8th. No member shall speak except in his place, nor more than twice on any question, except on leave of the Common Council.

9th. When a member is speaking no member shall entertain any private discourse, or in any way interrupt the speaker, except as to a question of order.

10th. Any member may call for a division of a question, when the same will admit thereof.

11th. When a blank is to be filled, and different sums or times proposed, the question shall first be put upon the largest sum and the longest time.

12th. When a question is under debate, no motion shall be received unless to adjourn, to lay on the table, for the previous question, to postpone to a day certain, to commit, to amend, or to postpone indefinitely ; and these several motions shall have precedence in the order in which they stand arranged.

13th. The previous question shall be admitted on demand of any member, and until decided shall preclude all amendments and discussion.

14th. It shall be competent for any member, when a question is taken, to call for the ayes and noes, which shall be recorded by the Clerk.

15th. In all cases when a resolution or a motion shall be entered on the minutes, the name of the member

moving the same shall also be entered on the minutes.

16th. Standing or select committees shall always report in writing. Reports to be made in writing.

17th. A majority of the members of the Common Council shall constitute a quorum for the transaction of business, but no ordinance shall be passed, or appropriation of money voted, unless eight members shall vote in favor thereof. Quorum.

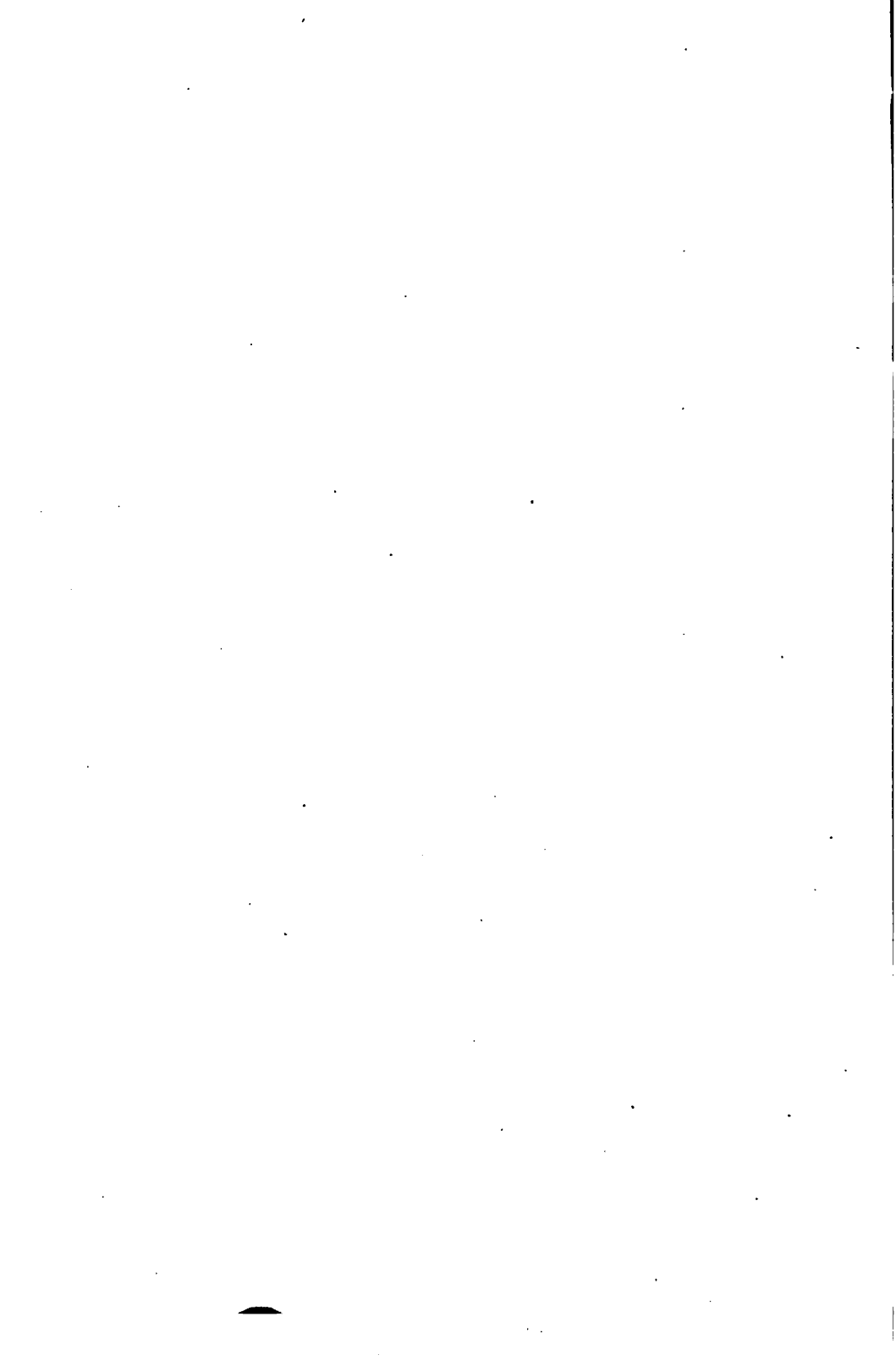
18th. It shall require a vote of two-thirds of the members present to suspend any rule of the City Council. Suspension of rules.

19th. No ordinance shall be passed, or account allowed, or appropriation made, without first having been proposed or considered at a previous meeting. Ordinances and accounts.

20th. The following standing committees, to consist of three members each, shall be elected by a majority of this Council: Standing committees.

1. On Finance.
2. „ Claims.
3. “ Harbor and Bridges.
4. “ Fire department.
5. “ License.
6. “ Police.
7. “ Judiciary.
8. “ Printing.
9. “ Public grounds.
10. “ Streets and Alleys.
11. “ Pauper affairs.
12. “ Gas Light.

21st. All reports of committees shall be addressed to the Mayor and Common Council of the city of Kenosha. Reports. How addressed.



ORDINANCES
OF THE
CITY OF KENOSHA.

Revised Ordinances.

ORDINANCE NO I.

OF POLICE OFFICERS AND THEIR DUTIES.

Be it Ordained by the Common Council of the City of Kenosha :

Who shall
be police.

SECTION 1. The Mayor, Aldermen, Marshal, Constables and such special Constables or Watchmen as the Council may appoint, or authorize to be appointed, shall constitute the police of this city ; and it shall be the duty of each of them to arrest, or cause to be arrested, and taken before any Justice of the Peace of said city, and to complain of and prosecute any person who shall violate any ordinance, or any portion of any ordinance of said city ; and whenever any justice cannot conveniently be found, or whenever any such arrest shall be made after the hour of seven o'clock in the evening, may

Offenders.
When may
be committed
by police.

commit any person so arrested to the county jail, or otherwise detain such person for a time not exceeding twenty-four hours, when such person so arrested may be brought before any Justice of the Peace of said city, and dealt with according to law.

Penalty for
neglect of
duty.

SECTION 2. The Marshal, any Constable, special Constable or Watchmen who shall refuse or wilfully neglect to perform any of the duties required of him by this ordinance, or by the city charter, shall be liable to

prosecution therefor, before any Justice of the Peace of said city, and upon conviction thereof shall forfeit and pay a penalty of not exceeding twenty dollars for each offense, and in default of the payment thereof shall be imprisoned in the county jail not exceeding thirty days.

SECTION 3. If any person shall resist any police officer or any other officer of this city in the discharge of his duties ; or if any person, being requested, shall refuse to assist any police officer in arresting any person for any offense committed against any ordinance of this city ; or if any person under arrest shall attempt to escape from the custody of any police officer, he shall forfeit and pay a penalty of not less than ten dollars, and in default thereof shall be imprisoned in the county jail twenty days. Penalty for resisting officers.

GEORGE H. PAUL, Mayor.

H. T. WEST, City Clerk.

Passed February 20th, 1858.

Published June 14th, 1858.

Recorded as Ordinance No. 1.

ORDINANCE NO. II.

OF THE DUTIES OF MARSHAL, CLERK AND TREASURER.

Be it Ordained by the Common Council of the City of Kenosha :

SECTION 1. The Marshal shall see that all the ordinances, orders and resolutions of the Common Council are enforced ; he shall prosecute offenders before any Justice of the city, in the name and on behalf of the city, and procure evidence in all prosecutions in which the city shall be interested ; he shall see that all orders of the Board of Health are promptly executed ; he shall attend to the collection of all fines, penalties and licenses ; he shall deposit all moneys collected by him immediately with the City Treasurer, taking duplicate receipts for the same, and depositing one of them with the Clerk ; he shall remove or abate all nuisances or Shall abate nuisances.

causes of disease within the limits of the city, which may come to his knowledge ; he shall give personal or written notice to all members of the Council of special meetings called by the Mayor ; he shall attend all meetings of the Common Council, and shall provide for lights, fuel, fire, and such other convenience for the Council, and in all other matters not herein specified shall be subject to the order of the Mayor or Common Council ; *Provided*, however, that in no case shall he incur any expense to the city in the discharge of any duty without the consent of the Mayor or of the Common Council.

Proviso.

Clerk to
keep records
and ac-
counts.

SECTION 2. The Clerk shall keep a complete record of the proceedings of the Council ; he shall engross all ordinances, orders and by-laws, in a separate book to be kept for that purpose, and furnish copies of the same for publication : he shall issue orders on the treasurer for such appropriations as may be made by the Common Council, and shall keep a distinct and classified account of such appropriations ; he shall keep on file all papers belonging to the city, including receipts of the Treasurer for all moneys paid into the treasury and for all tax lists delivered to him ; he shall issue certificates of all licenses granted and keep a record of the same ; he shall compare all returns to the Common Council by the Treasurer with the stubs of orders issued, and with the receipts of the Treasurer for moneys paid in, canceling the orders under the direction of the finance committee, and preserving them on file not less than one year ; and at the close of each fiscal year he shall report to the Council, and if by it approved, shall publish a detailed statement of the receipts and expenditures of the city for the year, including, so far as he may be able to ascertain, the amount of outstanding dues to and from the city.

Shall file
papers and
issue licenses.

Shall make
annual
statement.

When treasurer
not to
pay money.

SECTION 3. The treasurer shall pay no money from the treasury except an order be drawn upon him for amounts appropriated, in substantially the following form :

No.———	\$	City Order.	No.———
\$		KENOSHA,	18—.
Date	<i>The Treasurer of the City of Kenosha will</i>		
To ———	<i>pay to———or order,———dollars, out of</i>		
For———	<i>any funds in the treasury belonging to the</i>		
	<i>City ; the same having been allowed for——</i>		
	<i>———Clerk. ———Mayor.</i>		

He shall return to the Common Council as often as Shall make quarterly report.
 once in three months all the orders he may have received
 previous to the last return, with a schedule of the same
 and of moneys paid in ; he shall receipt to the Clerk all
 tax lists which may be placed in his hands for collection,
 and furnish the Marshal, or other proper officer, with
 duplicate receipts for all other moneys paid into his Shall furnish receipt to marshal.
 hands as treasurer.

GEO. H. PAUL, Mayor.

H. T. WEST, City Clerk.

Passed March 24, 1858.

Recorded as Ordinance No. 2.

ORDINANCE NO. III.

FOR THE REGULATION OF STREETS AND ALLEYS.

Be it Ordained by the Common Council of the City of Kenosha :

SECTION 1. That whenever any person shall encum- Marshal or alderman may remove obstruction.
 ber or obstruct any street, alley or side-walk in said city,
 the Mayor, City Marshal, or any Alderman may order
 the owner, or any person causing such encumbrance or
 obstruction, to remove the same ; or if the owner or per-
 son causing such encumbrance or obstruction cannot
 readily be found, the said Mayor, City Marshal, or any
 Alderman may cause such obstruction or encumbrance
 to be removed to some suitable place, to be designated
 by the Mayor or Common Council ; and the owner of

CITY OF KENOSHA.

any article so removed, shall forfeit and pay a penalty of two dollars, and in addition shall pay the costs of such removal.

Articles to be advertised and sold.

SECTION 2. Any article or thing of value which may be removed in accordance with the preceding section, may be advertised by the Marshal, and sold by him, after thirty days shall have expired from the time of said removal, unless the same shall be sooner claimed, and the penalty and the expense of removal paid by the owner thereof. The said Marshal after any such sale, shall pay the proceeds thereof into the City Treasury, and furnish the said Treasurer with a description of the article sold, and the amount for which the same was sold; and the balance, after the payment of the expenses of such removal and sale, if any, shall be paid by the City Treasurer to the person or persons furnishing satisfactory proof of ownership.

Ditches, etc not to be dug without consent.

SECTION 3. No person shall dig any hole, drain, or ditch, in any street or alley in this city without first having obtained consent of the Mayor, Marshal, or an Alderman of the city, under a penalty of five dollars for each such offense, and a like penalty for each day any such hole, drain, or ditch shall remain unfilled; and in default of the payment of any such penalty, shall be imprisoned in the county jail five days.

Earth and gravel not to be removed without the consent of the mayor.

SECTION 4. If any person shall, without first having obtained the written consent of the Mayor or Council, dig or carry away, or cause the same to be done, any sod, earth, sand or gravel, from any street, alley or public ground in said city, such person shall forfeit and pay a penalty of five dollars for every such offense, and in default of the payment thereof shall be imprisoned five days in the county jail.

Penalty.

Persons prohibited from building in streets and alleys.

SECTION 5. No person shall erect or place any building, in whole or in part, upon any street, alley or upon any public ground in this city, permanently or temporarily, under a penalty of twenty-five dollars for every thirty days, such building shall so remain, after the

owner, occupant or agent thereof shall have been notified by the Mayor or City Marshal to remove the same ; and in default of the payment of each such penalty, the offender shall be imprisoned in the county jail twenty-five days, ^{Penalty.}

SECTION 6. No person shall ride or drive any horse, wagon, cart, sled, or other vehicle, over any sidewalk, or plank-walk, unless it be at the crossings of the streets, under a penalty of one dollar for each offense. ^{Not to drive on side-walks.}

GEO. H. PAUL, Mayor.

H. T. WEST, City Clerk.

Passed February 20, 1858.

Published April 1, 1858.

Recorded as Ordinance No. 6.

ORDINANCE NO. IV.

FOR THE SECURITY OF PERSONS AND PROPERTY.

Be it Ordained by the Common Council of the City of Kenosha :

SECTION 1. That no person shall fire or discharge any cannon, rifle, gun, pistol, or fire-arms of any description, or fire, explode, or set off any squib, cracker, or other thing containing powder or other combustible or explosive material in any street, alley, or public ground within this city south of a line running through Lemon street from the lake to the west line of the corporation, and east of West Main street, without the permission of the Common Council, or the written permission of the Mayor, which permission shall limit the time of such firing, and shall be subject to be revoked by the Mayor or Common Council at any time after it has been granted. ^{Fire arms. How may be used.} Any person who shall violate this section shall for each offense forfeit and pay a penalty of three dollars ; and in default of the payment of such penalty, shall be imprisoned in the county jail two days, and one-half of each fine imposed in such case when collected shall be paid to the person who shall make the complaint before ^{Penalty.}

any Justice of the Peace.

Penalty for
fast driving.

SECTION 2. Every person who shall ride or drive any horse, in any street or alley within the limits of the city south of Lemon street, and east of West Main street, faster than a moderate trot, or at any greater speed than six miles an hour, shall forfeit and pay a fine of five dollars ; and in default of the payment of such penalty shall be imprisoned in the county jail five days.

Fast driving
on bridges
prohibited.

SECTION 3. That all riding or driving over Main and Grand street bridges in this city, faster than a walk, is hereby expressly prohibited ; and any person who may be found violating the provisions of this ordinance shall be subject to a fine of five dollars ; and in default of the payment of said fine, to imprisonment in the county jail two days. Said fine, when collected, shall be paid to the person or persons who shall make complaint to any Justice of the Peace of this city.

Penalty.

Limit of
speed of lo-
comotives,
etc.

SECTION 4. That a greater speed of traveling than six miles per hour, or at that rate, by any locomotive, railroad car, or other vehicle, upon any railroad track running through or into the city of Kenosha is hereby prohibited, and for every violation of this section, the offending party shall be subject to a fine of twenty-five dollars, one-half of which fine when collected shall be paid to the party entering complaint before any Justice of the Peace of this city.

Penalty.

Limit of
quantity of
gun powder
which may
be kept.

SECTION 5. No person shall be allowed to keep any gun-powder in any occupied building within the limits of this city without permission of the Council ; and no person shall keep in any such building a greater quantity than ten pounds ; which shall be kept in a close, tin canister or canisters. Every person violating any provision of this section, shall upon conviction thereof be fined twenty dollars, which it shall be lawful for the Treasurer of the Fire Department of this city to sue for in the name of the city of Kenosha ; and such fines when collected shall be paid to the said Treasurer for the use of the Fire Department ; and in default of such payment

Penalty.

the person or persons convicted shall be imprisoned in the county jail of this county for the term of ten days.

SECTION 6. No person or persons shall stack any hay, ^{Limits of stacking hay} straw or other combustible substances within fifty feet of any store, dwelling house or shop within the limits of the city of Kenosha, without first obtaining a written permission of the Mayor, and the Aldermen of the ward in which the same may be located, under a penalty of twenty-five dollars for each offense, and a like penalty for every ten days the same may remain after notice in writing to remove the same from the Mayor, any Alderman or fire warden of said city.

GEO. H. PAUL, Mayor.

H. T. WEST, City Clerk.

Passed March 20, 1858.

Published March 10, 1859.

Recorded as Ordinance No. 8.

ORDINANCE NO. V.

FOR THE PROTECTION OF PUBLIC GROUNDS.

Be it Ordained by the Common Council of the City of Kenosha:

SECTION 1. If any person except by authority of the Mayor and committee on public grounds shall destroy, ^{Penalty for destruction or injury.} mutilate, remove, cut, break or injure any tree, shrub, plant, or any ornament or ornaments whatever, on any public grounds within any cemetery, on or upon any street, or within any public square or parks of this city, or shall in any way injure the fences or gates around any such enclosure, such person so offending shall be punished by a fine not less than three nor more than twenty-five dollars, or by imprisonment in the county jail not less than ten nor more than thirty days, in the discretion of the Justice before whom conviction may be had.

SECTION 2. Whoever shall turn into any inclosed ^{Penalty for letting animals upon parks, etc.} public square or park of this city, any horse, cow, swine

CITY OF KENOSHA.

or other animal, by reason of which any damage is liable to accrue to any tree, shrub, plant, or any ornament or fixtures whatever, placed or being within any such enclosure, the person so offending shall be punished by fine, not less than three nor more than twenty-five dollars, or by imprisonment in the county jail not less than five nor more than thirty days, in the discretion of the Justice before whom any conviction under this ordinance may be had.

GEO. H. PAUL, Mayor.

H. T. WEST, City Clerk.

Passed February 20, 1858.

Published March 11, 1858.

Recorded as Ordinance No. 9.

ORDINANCE NO. VI.

AN ORDINANCE CONCERNING THE CONTRACTING OF DEBTS AND THE CHARGE OF THE PUBLIC PROPERTY.

Be it Ordained by the Common Council of the City of Kenosha :

When city
not liable for
debts con-
tracted by
officers, etc.

SECTION 1. No officer or employe. of the city shall have power to contract any debt or incur any expenditure except by order or resolution of the Common Council, and the city shall not be held liable for the payment of any debt so contracted or expense so incurred.

Contracts to
be in writing
and filed.

SECTION 2. Every contract or agreement made or entered into by or on behalf of the city shall be in writing and in duplicate, and for a sum certain for the performance of the entire work ; one copy of which contract shall in each case be filed with the City Clerk.

Harbor tools
etc. Who to
have charge

SECTION 3. The chairman of the Harbor Committee shall have direct charge of all property of the city owned or purchased for the work upon the harbor ; the

Road tools,
materials.
etc. Who to
have charge

chairman of the committee on roads and bridges shall have direct charge of all property owned or purchased

Mayor to
have cus-
tody of re-
mainder.

for the purpose of street work or work upon bridges ; and all other property belonging to the city not herein-

before mentioned, shall be in charge of the Mayor. A list of such property shall in each case be filed by each of said officers with the City Clerk at the commencement of his term of service, and a receipt given therefor.

SECTION 4. Any Alderman or other officer of the city of Kenosha who shall appropriate to his own use and for his own private benefit any money, goods, lumber, iron, tools, or materials, or property of any sort whatever, without the explicit consent of the Common Council; or if any Alderman or other officer of the city shall refuse to account for any property in his charge, either when requested to do so by the Council, or at the expiration of his term of his office, he shall pay to the city of Kenosha the full value of said property, and in addition shall pay a fine of not less than twenty-five dollars nor more than one hundred dollars for each such offense.

Penalty for self appropriation by officers.

SECTION 5. It is hereby made the duty of any officer of the city, or other person who shall have knowledge of any offense mentioned in the preceding section, to complain of and prosecute the offender before any Justice of the Peace of this city; and if any such offense shall be committed by any Alderman of the city, he shall be liable to the penalties prescribed in the preceding section, and also be forthwith expelled from the Council.

Officers, etc. to prosecute under ordinance.

GEO. H. PAUL, Mayor.

H. T. WEST, City Clerk.

Passed March 24, 1858.

Published December 30, 1858.

Recorded as Ordinance No. 10.

ORDINANCE NO. VII.

RELATING TO THE EXHIBITION OF SHOWS, SHOWMEN,
AND OTHER PERFORMANCES.

Be it Ordained by the Common Council of the City of Kenosha :

License for
exhibitions.

SECTION 1. That it shall not be lawful for any person or persons to exhibit for gain, within this city any, animal or animals, wax or other figures, or paintings, feats of circus riding, rope or wire dancing, sleight of hand, or any theatrical or musical entertainment, without first having obtained license therefor; and if any person shall offend against the provisions of this section, he shall pay for each offense a sum not less than fifteen dollars nor more than fifty dollars, and costs of prosecution, to be recovered on complaint before any court having competent jurisdiction; and in default of the payment of such fine and costs, shall be imprisoned in the jail of Kenosha county not less than one day nor more than thirty days, at the discretion of the court or justice rendering judgment.

Penalty.

Who to
grant li-
censes.

SECTION 2. It shall be the duty of the Mayor to grant the licenses herein provided for, if, in his opinion, the exhibition will not injuriously affect the morals of the people, or offend against the rules of decency and good order; and he shall in his discretion, fix the sum to be paid for licenses in all cases not herein provided.

Sums fixed
for licenses.

SECTION 3. The following shall be the rates of license for the exhibition of shows specified: For a circus not less than twenty nor more than fifty dollars for every day's performance; for a menagerie a sum not less than fifteen nor more than thirty dollars for every day's exhibition; for a theatre a sum not less than three dollars or more than ten dollars for each and every performance, or, not less than twelve dollars or more than twenty-four dollars for each week or six successive days; for sleight of hand or jugglery performance a sum not less than five dollars or more than ten dollars for each and every performance.

Sec. 3 of original ordinance numbered 15 as amended by ordinance numbered 71 passed June 3, 1872, published June 5, 1872.

How li-
cense t
is-
sue.

SECTION 4. No license shall be issued until the person applying for the same shall present the Marshal's receipt for the amount fixed by ordinance or by the

REVISED ORDINANCES.

71

Mayor, and the Clerk shall preserve said receipt and make an entry thereof.

SECTION 5. Every license granted in pursuance of this ordinance shall specify the time of its duration, and shall be of no validity after the expiration of such time, and no such license shall be assignable for the benefit of any other person.

SECTION 6. It shall be lawful for residents of this city to give concerts or musical entertainments without charge.

GEO. H. PAUL, Mayor.

H. T. WEST, City Clerk.

Passed February 20, 1858.

Published February 3, 1859.

Recorded as Ordinance No. 15.

ORDINANCE NO. VIII.

Be it Ordained by the Common Council of the City of Kenosha :

SECTION 1. That from and after this date the name of Kenosha street be and the same is hereby changed to Park Avenue, and that hereafter the said street be known and designated as Park Avenue.

GEO. H. PAUL, Mayor.

C. B. LEWIS, City Clerk.

Passed May 24, 1858.

Recorded as Ordinance No. 21.

ORDINANCE NO. IX.

RELATIVE TO THE GREEN BAY, MILWAUKEE AND CHICAGO RAILROAD.

Be it Ordained by the Common Council of the City of Kenosha :

SECTION. 1. That the Green Bay, Milwaukee and Chicago railroad company, be and are hereby permitted, as far as this city has the power to grant said permission,

to locate their road through this city upon some one of the public streets on the following conditions, viz :—

Not to alter
grade of
streets

That said company adopt as far as possible the same grade with their road as that of the street they may locate upon.

Not to put
up buildings
on streets.

That they shall not erect any buildings or structures upon said street except the usual track of a railroad.

Not to ob-
struct ordi-
nary use of
streets and
to keep the
same in re-
pair.

That they shall locate, use, and occupy said railroad track so as not to interfere with the ordinary uses of said streets, and of the several cross streets, and shall keep the street so used in good and perfect repair as a street, so as to be used without inconvenience by citizens with all ordinary vehicles.

To build cer-
tain depots,
storehouses,
etc.

That said company shall erect as good, commodious and valuable buildings for depots, warehouses and other buildings, appurtenant to the railroad, as shall be erected by said company at any other place besides Milwaukee, and shall locate said depot and other buildings at some point within this city and south of Pine street ; and shall generally afford the same accommodations with regard to the stoppage of all trains, and all other things as shall be offered to any town or city except Milwaukee.

When shall
be required
to make
drawbridge.

SECTION 2. That in case said railroad company should construct said road across any part of the harbor or meandered portion of Pike Creek, that said company be required to construct and keep in repair a good and sufficient draw-bridge, and have the same properly attended, so as at all times to allow the passage and re-passage of all vessels navigating said harbor.

In what
case ordi-
nance to be
void.

SECTION 3. That this ordinance shall be void unless accepted by said company, and notice thereof in writing served upon the Mayor of this city within thirty days from the date of its passage.

C. C. SHOLES, Mayor.

J. MURRAY, City Clerk.

Passed August 1, 1853.

Recorded as Ordinance No. 22.

ORDINANCE NO. X.

PREScribing THE FIRE LIMITS OF THE CITY OF
KENOSHA.

*Be it Ordained by the Common Council of the City of
Kenosha :*

SECTION 1. That all that part of the city embraced in the following limits, shall hereafter be known as the fire limits in said city, to wit : Commencing at a point where the center of Main and Grand streets meet ; thence along the center of Main street to the Kenosha, Rockford and Rock Island railroad ; thence east 165 feet ; thence south parallel with the center of said Main street to South street ; thence west along the center of said South street to a point 165 feet west of the center of Main street, thence north to Grand street parallel to said center of Main street, thence east along said center of Grand street to place of beginning ; also the south half of blocks 26 and 27 fronting on Market or Exchange streets, and the north half of blocks 30 and 31 fronting on Market street and Market square, not included in the limits just described.

Fire limit
defined.

SECTION 2. All buildings which shall hereafter be erected, placed or put upon any lot or lots within the above defined fire limits, shall, except by special vote of the Council, be constructed with walls of brick or stone, or other incombustible material, and no wooden building now standing within said limits shall be removed from the place where it now is unless removed without said fire limits ; nor shall any such building be removed into the fire limits, nor shall any building within said limits be enlarged with wooden materials.

New build-
ings in fire
limits must
be built of
brick or
stone.

SECTION 3. No person shall place or put upon any vacant lot or lots or parts of lots within the foregoing prescribed fire limits, any wood, lumber or other combustible material except such as are necessary for immediate use.

Wood or
lumber not
to be piled
on vacant
lots in fire
limits.

SECTION 4. Sheds not exceeding twelve feet in height at the peak or highest part thereof, and privies not ex-

Sheds or
privies may
be built in
fire limits.

ceeding ten feet square and twelve feet in height at the peak, may be constructed of wood, and shall not be subject to the provisions of this ordinance: *Provided*, That the term shed be so construed as to mean a structure with a roof sloping one way, with one or more sides of the said structure entirely open. But all depositories for ashes within said fire limits shall be built of brick or other fire proof material.

Penalty. SECTION 5. Any person who shall violate any of the provisions of this ordinance shall pay a fine of not less than ten nor more than one hundred dollars, and in default of the payment thereof shall be imprisoned not more than thirty nor less than five days, or until such fine and all costs are paid.

Duty of mayor in premises. SECTION 6. Any wooden building which may be erected, enlarged or renovated or in process of erection, enlargement or removal, contrary to this ordinance, or any wood, lumber or other combustible material placed or put upon any vacant lot or lots contrary to this ordinance shall be deemed a nuisance, and upon information it shall be the duty of the Mayor, after due notice to the owner or builder thereof, to abate the same by an order in writing to require the City Marshal to raze such building to the ground, and to remove the wood, lumber or other combustibles from the vacant lot or lots within the said fire limits. The expense of such removal in either case shall be reported by the Marshal for assessment and may be collected of the owner of such building lot or lots by suit.

SECTION 7. All ordinances heretofore passed conflicting herewith shall be and the same are hereby repealed.

I. W. WEBSTER, Mayor.

C. B. LEWIS, City Clerk.

Passed February 18, 1861.

Recorded as Ordinance No. 54.

ORDINANCE NO. XI.

Be it Ordained by the Common Council of the City of Kenosha :

SECTION 1. That from and after the passage and publication of this ordinance, the running of velocipedes upon any portion of Main street, or upon the sidewalks thereof in the said city of Kenosha, be, and the same is hereby prohibited. To prohibit velocipedes running on Main street, etc.

SECTION 2. Any person who shall violate the provisions of the foregoing ordinance, shall pay a fine of not less than two or more than five dollars; and in default of the payment thereof shall be imprisoned not less than two days or until such fine and all cost shall be fully paid. Penalty.

F. ROBINSON, Mayor.

J. E. BAILEY, Clerk, *pro tem.*

Passed July 19, 1869.

Published July 22, 1869.

Recorded as Ordinance No. 61.

ORDINANCE NO. XII.

OF OFFENCES AGAINST PUBLIC ORDER AND MORALS.

Be it Ordained by the Common Council of the City of Kenosha :

SECTION 1. That whenever any person or persons shall make, aid, countenance or assist in making any improper noise or disturbance in the streets, or elsewhere within the limits of said city : or whenever any persons shall collect in crowds, creating public disorder, or for unlawful purposes to the annoyance or disturbance of citizens or travelers, or of any public meeting lawfully and peacefully assembled, every such person so offending shall forfeit for each such offence, a penalty not exceeding ten dollars, and in default of the payment thereof, shall be imprisoned in the county jail ten days. Penalty for disturbance.

SECTION 2. Any persons found in a state of intoxication in any public or exposed place, or any person guilty Penalty for indecent exposure.

CITY OF KENOSHA.

of any act of public indecency, lewdness, or immodest public exposure, or of letting any stud horse to any mare, or indecently exhibiting such horse in any exposed or public place, within the limits of said city, shall for each or either offense forfeit and pay a fine not exceeding fifteen dollars ; or in default of the payment thereof shall be imprisoned in the county jail fifteen days.

Penalty for
keeping dis-
orderly
houses.

SECTION 3. If any person shall be guilty of keeping or maintaining, or shall be an inmate of, or in any way connected with or shall in any way contribute to the support of any disorderly house, or house of ill-fame, or place for the practice of fornication, or shall knowingly or willfully own or be interested as landlord or proprietor of any such house, every such person shall on conviction, forfeit and pay a fine of not exceeding fifty dollars, and a further fine of twenty-five dollars for every twenty-four hours such house shall be continued after the first conviction, or after any such person shall be ordered by any member of the Common Council, the City Marshal or any Constable of the city, to suppress, restrain or discontinue the same ; and in case of non-payment of any fine imposed by the provisions of this section, the offender shall be imprisoned in the county jail not exceeding forty days.

Who may
order sup-
pression.

Penalty
against gam-
bling de-
vices.

SECTION 4. No person shall have, keep, or permit to be used in any building or place within the city, used, occupied, or controlled by such person, any gaming table, playing cards, or any instrument, device or thing used for gambling whereon or with which money shall in any manner be played for, under a penalty of not exceeding twenty dollars ; and any person on whom such penalty may be imposed shall in default of the payment thereof, be imprisoned in the county jail twenty days.

Who may
seize and
destroy
gambling
devices.

SECTION 5. The Mayor or any Alderman, the City Marshal, or any Constable of the city, may seize or direct to be seized any instrument, device or thing to be used by, on, or with which money may be lost or won, and all such instruments, devices or things may be de-

molished or destroyed under the direction of the Mayor.

SECTION 6. If the owner or keeper of, or any person within any gambling house, room, disorderly house, or house of ill-fame within the city, shall refuse to permit the Mayor or any Alderman, the City Marshal or any Constable of said city, to enter the same, it shall be lawful for the Mayor or any Alderman to enter, or cause to be entered by force, by breaking the doors or otherwise, and arrest with or without process all suspicious persons found therein.

SECTION 7. No person shall, between the hours of sunrise and 10 P. M., swim or bathe in the waters of Pike Creek, or Lake Michigan within the limits of this city. Every person violating this section, shall forfeit and pay for each offence, a fine of two dollars, and in default of the payment of such fine, shall be imprisoned in the county jail one day.

V. HUGHES, Mayor.

H. T. WEST, City Clerk.

Passed May 19, 1856.

Published March 10, 1859.

Recorded as Ordinance No. 12.

ORDINANCE NO. XIII.

VACATING ALLEY BETWEEN LOTS 2 AND 3 IN BLOCK
74, SECOND WARD, CITY OF KENOSHA.

*Be it Ordained by the Common Council of the City of
Kenosha:*

SECTION 1. That that alley between lots 2 and 3 in Block 74, N. E. Quarter, Section 31, T. 2, R. 23, in the second ward of the city of Kenosha be and the same is hereby vacated.

A. FARR, Mayor.

F. W. BECKMANN, City Clerk.

Passed June 12, 1871.

Published June 15, 1871.

Recorded as Ordinance No. 68.

CITY OF KENOSHA.

ORDINANCE NO. XIV.

Be it Ordained by the Common Council of the City of Kenosha :

Alley upon
lot 2 in block
42 vacated.

SECTION 1. That the alley as laid out and platted upon the west eight feet of lot No. two (2,) in block No. forty-two (42,) in the first ward of the city of Kenosha be and the same is hereby vacated.

Alley to be
opened on
lot 3 block
42.

SECTION 2. *Be it further ordained:* That an alley fourteen (14) feet in width be and the same is hereby directed to be laid out and opened over and upon the west side of lot No. three (3) in said block No. forty-two (42) in said first ward, extending from Park street south to the alley dividing said block forty-two, east and west.

SECTION 3. This ordinance shall take effect and be in force from and after its passage and publication.

A. FARR, Mayor.

F. W. BECKMANN, City Clerk.

Passed August 19, 1872.

Published August 21, 1872.

Recorded as Ordinance No. 73.

ORDINANCE NO. XV.

AN ORDINANCE TO VACATE PORTIONS OF CERTAIN
ALLEYS IN THE CITY CEMETERY.

Be it Ordained by the Common Council of the City of Kenosha :

Drive or
road vacat-
ed.

SECTION 1. That so much of the second main drive or road, counting south from the north line of the southeast division of said cemetery, and running from east to west with so much of the intermediate alleys to the north and south of the same, and so much of the north and south alleys as is or may be included within the line of a certain family burial lot to be formed out of blocks six (6,) seven (7,) eight (8,) twenty-three (23,) twenty-four (24,) and twenty-five (25,) in said division, and purchased by Samuel Hale, is hereby taken up and vacated, *Provided*, That said purchaser, his heirs, exec-

Proviso.

utors or assigns, shall cause to be made and kept open a continuous drive of twelve (12) feet in width around and on all sides of said lot, so to be laid out, notwithstanding that such drive will necessitate the taking of some portions of said blocks for that purpose, said continuous drive to be under the control of the City Council as other drives or roads in said cemetery, and to connect by easy curve with those running to it.

SECTION 2. The Mayor and Clerk are hereby au- ^{Deed au-}thorized and empowered on payment for said blocks, of ^{thorized.} the sum or sums fixed by the Council, and upon the conditions that a continuous drive or road shall be maintained and kept open for the use of the city, and under the control of the Council to deed to said purchaser in the usual form of conveyance so much of the intermediate alleys and drives above vacated as shall or may fall within the outside line of his said family burial lot as the same shall be finally established in conformity with the conditions of this ordinance.

A. FARR, Mayor.

F. W. BECKMANN, City Clerk.

Passed May 5, 1873.

Recorded as Ordinance No. 78.

ORDINANCE NO. XVI.

TO VACATE ALLEY IN THE CITY CEMETERY.

Be it Ordained by the Common Council of the City of Kenosha :

SECTION 1. That the alley or so much thereof as lies ^{Vacating of} between the north end of block twenty-six (26,) and the ^{alley in city} south end of block twenty-seven (27,) in the southeast ^{cemetery.} division of Kenosha city cemetery be and the same is hereby vacated.

A. FARR, Mayor.

F. W. BECKMANN, City Clerk.

Passed October 27, 1873.

Recorded as Ordinance No. 79.

CITY OF KENOSHA.
ORDINANCE NO. XVII.

AN ORDINANCE RELATING TO CITY ORDERS.

Be it Ordained by the Common Council of the City of Kenosha :

Special city
order.

SECTION I. Whenever the Common Council shall direct that any city order shall be made payable at any time after the issuance thereof, the same shall be made payable at the time the Common Council shall by order or resolution direct, and shall be substantially in the following form :

No.....	SPECIAL CITY ORDER.	No.....
	KENOSHA,.....	18....
\$.....	The Treasurer of the City of Kenosha will pay to.....	
Date.....	or order.....Dollars,.....after the date	
To.....	hereof, out of any funds in the Treasury belonging to the city, the	
For.....	same having been directed to be paid as above by order of the	
	Common Council, passed.....	18....
City Clerk.Mayor.

A. FARR, Mayor.

F. W. BECKMANN, City Clerk.

Passed March 16, 1874.

Recorded as Ordinance No. 82.

ORDINANCE NO. XVIII.

AN ORDINANCE VACATING A PORTION OF THE STREET
NORTH OF LOT 1 IN BLOCK 81 IN THE FOURTH
WARD OF THE CITY OF KENOSHA.

Be it Ordained by the Common Council of the City of Kenosha :

SECTION I. That all that portion of Main street lying north of lot one in block eighty-one in the fourth ward of said city, described as commencing on the west line of Main street where the easterly line of lot one angles westerly and fifty-eight and one-half feet northwesterly of the southeast corner of said lot ; thence on an

extended north line with the easterly line of said lot one, twelve (12) feet ; thence southwesterly at right angles with Main street till it intersects the north line of lot one aforesaid, and thence southeasterly on the line of said lot to the place of beginning be and the same is hereby vacated.

SECTION 2. That the Mayor and Clerk be and they are hereby authorized upon receiving from Joseph Bindt or the person holding the legal title thereto, a deed running to the city of Kenosha of all that part of lot one in block eighty-one lying north of the north line of that portion of street vacated by this ordinance ; such north line being extended southwesterly to the west line of said lot one, and to release to said Joseph Bindt, his heirs or assigns all the interest of the city in and to the portion of street vacated by section one of this ordinance.

OTIS G. KING, Mayor.

P. OLKER, City Clerk.

Passed May 3, 1875.

Recorded as Ordinance No. 83.

ORDINANCE NO. XIX.

AN ORDINANCE VACATING PART OF THE ALLEY RUNNING NORTH AND SOUTH THROUGH BLOCK FORTY-THREE FIRST WARD.

Be it Ordained by the Common Council of the City of Kenosha :

SECTION. 1. That the west two (2) feet of the alley laid out and dedicated to the use of the public in Block forty-three (43), southeast quarter of section thirty-one (31), town two (2), north of range twenty-three (23) east, and according to the plan recorded in Racine County, and including a strip two feet wide adjacent to and parallel with the new line of said alley be and the same is hereby vacated. *Provided*, That in vacating the two feet aforesaid it does not reduce the width of said alley to less than 14 feet in width.

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SECTION 2. This ordinance shall take effect upon its passage.

O. G. KING, Mayor.

P. OLKER, City Clerk.

Passed August 23, 1875.

Recorded as Ordinance No. 84.

ORDINANCE NO. XXI.

AN ORDINANCE ESTABLISHING CERTAIN HARBOR AND DOCK LIMITS, AND PROVIDING FOR THE ERECTION OF WHARVES THEREON.

Be it Ordained by the Common Council of the City of Kenosha :

Dock limits.

SECTION 1. That the harbor and dock limits of so much of the harbor of the city of Kenosha along the banks of Pike Creek as lies between the west end of the south harbor pier erected under the authority of the United States at the entrance of said harbor and block twelve (12) on the southeast quarter of section thirty-one (31), is hereby established as follows :

Commencing at the said west end of the south government pier, so called, and on the north line thereof and running thence westerly along the line of the wharf as now maintained to the northwest corner of the dock as now maintained by Z. G. Simmons on the southeast quarter of section thirty-one (31) ; thence southerly on the west line of said last named dock one hundred feet to the north line of wharf as now maintained ; thence westerly on said north line one hundred and ninety feet ; thence south one hundred and sixty-one feet ; thence west one hundred and forty-two feet to the west line of the alley running from Exchange street northerly toward said Pike Creek ; thence northwesterly one hundred and eighty-two feet to the southeast corner of the Coleman dock (so called) as now maintained on said block twelve.

Be it further ordained, That the dock line of Durkee's dock so called and as now built and maintained, com-

mencing at the northeast corner of lot four (4) ; thence northerly on the water front to the southeast corner of lot ten (10), and between Grand and Chestnut streets in the northeast quarter, section thirty-one (31), town two (2), north of range twenty-three (23) east be and the same is hereby established as above described.

Sec. 1 of original ordinance No. 66, as amended by original ordinance No. 85, which was passed Sept. 6, 1875.

SECTION 2. The owner or owners of all lots and lands abutting on the line hereby established for harbor limits, are required to erect and maintain on their own lots and lands so abutting on said line, and on and even with said line hereby established, a good and substantial wharf or dock, in all places on said line, where such wharves are not now erected and maintained, to be built substantially like the permanent wharves heretofore erected in said harbor, and to keep and maintain the same at all times in good and sufficient repair ; and the owner or owners of lots or lands whereon wharves are already erected along said line are in like manner required to keep and maintain said wharves in good and sufficient repair so far as the same are situated on their own lands.

The owners of lots or blocks to erect and maintain docks.

Sec. 2 of original ordinance No. 66

M. H. PETTIT, Mayor.

F. W. BECKMANN, City Clerk.

Passed November 7, 1870.

Sections 3, 4 and 5 are superseded by Chap. 316 Laws of 1876.

ORDINANCE NO. XXII.

AN ORDINANCE ESTABLISHING DOCK LIMITS BETWEEN
MAIN STREET AND GRAND STREET.

Be it Ordained by the Common Council of the City of Kenosha :

SECTION 1. That the harbor and dock lines of Pike Creek in the city of Kenosha from Main street to Grand

CITY OF KENOSHA.

street be and the same are hereby established as follows : Beginning on the left bank of said Pike Creek at a point on the north line of Grand street where said street intersects said Pike Creek, and 78 feet east of the north-east corner of Main street and Grand street as now located ; thence running south 18° west 223 feet ; thence south 48° west 95 feet ; thence south 65° west 42 feet ; thence south 64° west 320 feet ; thence north 70° west 263 feet ; thence north 22° west 315 feet ; thence westerly on the south line of Grand street across said Pike Creek 160 feet to right bank of said creek ; thence south 22° east 400 feet ; thence south 59° east 187 feet ; thence south 63° 30 min. east 165 feet ; thence south 84° 15 min. east 170 feet ; thence north 67° east 193 feet ; thence north 55° east 145 feet to the west line of Main street. The plat and survey of said harbor and dock lines made by Jason Lothrop, County Surveyor, dated June 25th, 1879, and recorded in the office of the Register of Deeds of Kenosha County Sept. 22, 1879, is hereby adopted, ratified and confirmed.

Passed September 22, 1879.

Recorded as Ordinance No. 106.

ORDINANCE NO. XXIII.

VACATING CERTAIN ALLEYS IN SOUTHEAST DIVISION OF
KENOSHA CITY CEMETERY.

*Be it Ordained by the Common Council of the City of
Kenosha :*

SECTION 1. That the alleys between west ends of blocks 167 and 179 and the east ends of blocks 166 and 180, and west ends of blocks 166 and 180, and east ends of blocks 165 and 181, and west ends of blocks 165 and 181, and east ends of blocks 164 and 182, and also the roadway between said blocks, said roadway running east and west in the southeast division of Kenosha City Cemetery be and the same are hereby vacated.

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Passed September 17, 1877.

A. FARR, Mayor.

D. B. BENEDICT, City Clerk.

Recorded as Ordinance No. 97.

ORDINANCE NO. XXIV.

GIVING C. & N. W. RY. CO. THE RIGHT TO LAY TRACK
ON PEARL STREET.

*Be it Ordained by the Common Council of the City of
Kenosha :*

SECTION 1. That the Chicago and Northwestern ^{Authority} Railway Company, or the Chicago and Milwaukee Rail- ^{given.} way Company be and are hereby permitted and empowered to lay a railroad track, and use and operate the same through and over such portions of the public streets and alleys of the city of Kenosha as are herein designated, to wit : Commencing on Pearl street in said city at the present terminus of the track of the Chicago and Northwestern Railway on said Pearl street ; thence easterly along said Pearl street and across intermediate streets and alleys to a point near the west line of shops of Edward Bain ; thence over and along or across the property of said Bain to Main street ; thence across Main street and along and across any other intermediate streets and alleys and easterly to Lake Michigan and the Kenosha harbor.

SECTION 2. The powers and authority hereby given ^{Conditions.} are conferred upon the following conditions :

1st. Said company shall adopt as far as practicable the same grade for their road bed as that of said streets and alleys over which they pass.

2d. Said company shall not erect any buildings or structure within said streets or alleys save only the usual track of a railroad and necessary bridges, culverts and sluiceways.

3d. Said company shall locate, use and occupy and operate said railroad track in such manner as not to in-

CITY OF KENOSHA.

terfere with the ordinary uses of said streets and alleys, and shall keep the streets so used and occupied in good and perfect repair as streets, so that the same may be used by citizens with all ordinary vehicles.

Trestle
work.

SECTION 3. Nothing in subdivision 3 of section 2 of this ordinance shall prevent the said company from constructing, and said company is hereby authorized to construct a bridge of trestle work or other suitable style of bridge extending from the crest of the hill on Pearl street near Chicago street angling northeasterly to the crest of the hill just west of Main street, *Provided* that such bridge or trestle work be constructed north of the present traveled tract of said Pearl street and so as not to interfere with the practical use and efficiency of said Pearl street.

Passed June 17, 1878.

A. FARR, Mayor.

D. B. BENEDICT, Clerk.

Published June 27, 1878.

Recorded as Ordinance No. 100.

ORDINANCE NO. XXV.

AUTHORIZING THE CONSTRUCTION OF A SIDE TRACK
ON CHICAGO STREET.

*Be it Ordained by the Common Council of the City of
Kenosha :*

SECTION 1. That the Chicago and Northwestern Railway Company or the Chicago and Milwaukee Railroad Company be and either of said companies is hereby empowered and authorized to construct, use and maintain a side track in connection with the railroad track running along Pearl street to the Kenosha harbor, and to locate said side track over, along and across the following streets and public grounds, namely : Along and upon Chicago street from Pearl street to the southeast corner of block No. forty (40), upon which said block the malt house of Messrs. M. H. Pettit & Co. is located.

REVISED ORDINANCES.

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SECTION 2. The powers, rights and privileges conferred by section 1 of this ordinance are given upon the express condition that said railway company exercising such rights shall establish the grade of its said track as near the level of said streets as practicable, and shall not in any way obstruct the use of said streets for travel, and shall keep said streets along which its said track is constructed in good repair and condition for the use by teams and vehicles, and also to construct and maintain sufficient approaches to said track wherever the same crosses any street or sidewalk.

SECTION 3. *Provided*, That the work herein contemplated be performed under the direction of a committee of said Common Council or Auditing Board to be appointed for that purpose, and that the determination of such committee shall be followed and observed by said company as to the grade of such track so to be laid, and the grade established at the time such track is constructed shall not be changed without the consent of said Common Council or Auditing Board.

Secs. 1 and 2 passed July 2, 1878.

A. FARR, Mayor.

D. B. BENEDICT, Clerk.

Sec. 3, Passed August 5, 1880.

A. C. SINCLAIR, Mayor.

Secs. 1 and 2 recorded as Ordinance No. 101.

Sec. 3 not numbered.

ORDINANCE NO. XXVII.

TO RESTRAIN THE RUNNING AT LARGE OF CERTAIN
ANIMALS.

*Be it Ordained by the Common Council of the City of
Kenosha :*

SECTION 1. That there may be appointed in each year by the said Common Council or Auditing Board of said city a Pound Master for said city who shall hold his office during the pleasure of said Common Council or

Appoint-
ment of
pound mas-
ter.

Board of Audit, and until his successor is appointed.

Construct-
ion of pound

The said Common Council or Board of Audit may also order the construction of a city pound suitable for impounding animals as provided in this ordinance.

Animals not
to run at
large.

SECTION 2. No horse, colt, mule, jack, jenny, cow, bull, steer, heifer, calf, hog, pig or goose shall be permitted to run at large within the limits of said city or in any public square or park thereof ; and if any such animal shall be found so running at large, each and every animal may be impounded in the pound of said city and may be sold at public auction after such animal may have been impounded, on giving not less than six days notice of such sale ; said notice to be posted in not less than three public places in said city, specifying the time and place of such sale and a description of the property to be sold.

Impounding
and sale.

Fees of
pound keep-
er.

SECTION 3. Every pound-keeper shall be entitled for receiving into the pound of said city a compensation as follows ; For every mule, horse or colt received into said pound seventy-five cents, and twenty-five cents for every twenty-four hours such horse or colt or mule shall be kept therein ; and for every bull, cow, heifer, ox, steer or calf, fifty cents shall be paid to said pound-keeper for receiving said animals into said pound, and twenty-five cents additional shall be paid said pound-keeper for every twenty-four hours the aforesaid animals shall be kept in said pound ; for every swine received into said pound forty cents : for every goose ten cents, and for every twenty-four hours each swine shall be kept in said pound twenty cents, and for every goose kept in said pound twenty-four hours, ten cents shall be paid for each twenty-four hours. For giving notice of sale as provided in section 2 of this ordinance, for every horse twenty cents ; for selling every horse one dollar ; for giving notice of sale for every cow, steer, ox, bull or heifer twenty cents ; for selling each of the above mentioned animals fifty cents ; for giving notice of sale for any swine 20 cents ; for selling each swine twenty-five

cents; for giving notice of sale of each goose twenty cents; for selling each goose ten cents.

SECTION 4. The money received by any pound keeper, after deducting the costs and charges allowed by the provisions of this ordinance, shall be paid to the City Treasurer, and the same shall be delivered to the owner of the animal or animals from the sale of which such money shall have accrued, if such owner shall appear within two years from the time of said sale and render satisfactory proof to the Mayor of title to said animal or animals, and in case no such owner shall appear, claim and give satisfactory proof as above provided then such money shall be forfeited to and become the property of said city.

Money to be paid city treasurer.

Delivered to owner when.

Money property of city when.

SECTION 5. The owner of any animal mentioned in this ordinance that shall have been impounded may claim such animal to be released therefrom on payment to the pound master the charges and fees that shall have accrued, agreeably to the provisions of this ordinance at any time before the sale of any such animal on giving satisfactory proof of title thereto.

When animal released

SECTION 6. It shall be the duty of the pound master on receiving any animal to enter a description thereof in a book to be kept for that purpose by him together with the date of such entry and he shall also enter on such book every sale made by him, the amount received therefrom and the amount of his fees and charges thereon and if the animal or money shall be claimed, an entry thereof shall be made and if the animal or money shall be delivered to the claimant his receipt thereof shall be taken in such book.

Duty of pound master.

SECTION 7. Any person may take up and deliver to the pound keeper to be impounded or cause the same to be done any animal running at large contrary to the provisions of this ordinance and if any pound keeper appointed as aforesaid shall neglect or refuse to take up, detain, or impound any animal known by him to be running at large contrary to the provisions of this ordinance,

Who may take up and impound animal.

CITY OF KENOSHA.

he shall forfeit and pay a fine of ten dollars and costs for each and every such refusal or neglect.

Penalty for
breaking
open pound.

SECTION 8. If any person or persons shall break open or in any way directly or indirectly aid or assist in breaking open the pound of said city every such person shall forfeit and pay a fine of ten dollars and costs and in default of payment of such penalty shall be imprisoned in the county jail ten days.

Penalty for
obstructing
person driv-
ing animal
etc., to
pound.

SECTION 9. Every person who shall hinder, delay or obstruct any person or persons engaged in driving to the pound of said city any animal or animals mentioned in this ordinance shall forfeit and pay a fine of five dollars for every such hindrance or delay or obstruction, and in case of non-payment of such fine shall be imprisoned in the county jail ten days.

Who to fur-
nish susten-
ance for ani-
mals.

SECTION 10. It shall be the duty of the pound keeper to provide necessary sustenance for all animals impounded in said city pound without further charge than is provided or allowed by this ordinance.

SECTION 11. All ordinances and parts of ordinances that conflict with this ordinance are hereby declared repealed.

Passed November 17, 1880.

A. C. SINCLAIR, Mayor.

J. M. JACOBS, City Clerk.

Published December 16, 1880.

Recorded as Ordinance No. 110.

ORDINANCE NO. XXVIII.

VACATING CERTAIN ALLEYS IN CEMETERY, ETC.

Be it Ordained by the Auditing Board of the City of Kenosha :

SECTION 1. That the alleys between blocks 90 and 91 and 92 in the south east division of Kenosha City Cemetery be, and the same are hereby vacated, being those running north and south and dividing the blocks designated above.

SECTION 2. Be it further ordained, that an alley of the same width of those vacated in the first section of this ordinance be, and the same is hereby ordered to be laid out in the centre of block No. ninety-one running north and south; the west half of said block, exclusive of one-half of above named alley, but including the vacated alleys to be merged in block 92, and the east half of said block 91 to be merged in block 90, exclusive of that part taken for the alley running north and south through block 91 but including the vacated alley.

Passed May 16, 1881.

HENRY WILLIAMS, Mayor.

J. M. JACOBS, City Clerk.

Recorded as Ordinance No. 112.

ORDINANCE NO. XXIX.

AN ORDINANCE RELATING TO DEPOT BUILDINGS, FREIGHT HOUSES, CARS, PLATFORMS AND YARDS.

Be it Ordained by the Auditing Board of the City of Kenosha :

SECTION 1. That it shall be unlawful for any person or persons to loiter around on the platforms or in the buildings, yards, cars, or platforms of the same therein of the Chicago & Northwestern Railroad Company, within the limits of the City of Kenosha, unless they have special business thereat. Any violation of any of the provisions of this section shall be punished by a fine of not less than one dollar nor more than ten dollars for each offense and costs of prosecution or by punishment in the county jail of Kenosha County, if such fine and costs shall not be paid forthwith until such fine and costs are paid, not less than ten nor more than thirty days or until discharged by due course of law.

Loitering about depots etc., prohibited.

Penalty.

SECTION 2. It shall be unlawful for any person or persons to jump upon or from or cling to any passenger, parlor or sleeping car, or platform of the same, freight

Jumping upon cars in motion, etc., prohibited.

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Penalty.

car or caboose that passes over the Chicago & Northwestern Company's lines or side tracks, while the same are in motion, or to set up or let off any brake upon any car in said yards or upon the tracks of said railroad within the limits of the City of Kenosha. Any person violating any of the provisions of this section shall upon arrest and conviction thereof be punished by a fine of not less than two dollars, nor more than twenty dollars for each offense and costs of prosecution. *Provided*, however, that nothing in this section shall be construed to apply to employees of said Railway Company.

Marshal and
police to en-
force.

SECTION 3. It shall be the duty of the Marshal and Police of the city to see that persons violating any of the provisions of the foregoing ordinance are promptly arrested.

Repealing
clause.

SECTION 4. All ordinances, rules and regulations heretofore adopted by the Common Council or Auditing Board of the City of Kenosha which are inconsistent with or repugnant to any of the terms or provisions of this ordinance are hereby repealed.

SECTION 5. This ordinance shall take effect from and after its passage.

Passed July 6th, 1881.

HENRY WILLIAMS, Mayor.

J. M. JACOBS, City Clerk.

Published July 21, 1881.

Recorded as Ordinance No. 113.

ORDINANCE NO. XXX.

CHANGING NAME OF NORTH MAIN STREET.

Be it Ordained by the Board of Audit of the City of Kenosha :

SECTION 1. That from and after this date the name of North Main street be and the same is hereby changed to Milwaukee Avenue, and that hereafter the said street be known and designated as Milwaukee Avenue.

REVISED ORDINANCES.

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Passed Nov. 8, 1881.

HENRY WILLIAMS, Mayor.

J. M. JACOBS, City Clerk.

Recorded as Ordinance No. 115.

ORDINANCE NO. XXXI.

VACATING A PORTION OF MAIDEN LANE.

Be it Ordained by the Common Council of the City of Kenosha :

SECTION 1. That the portion of the street known as Maiden Lane in the City of Kenosha and described as commencing at the south east corner of block 45 in the first ward of the City of Kenosha, thence due east eight feet, thence north angling west to a point on the west line of said Maiden Lane sixty feet north of the south east corner of said block 45, the same being a triangular strip of land in said Maiden Lane of which the base is 8 feet and the hypotenuse 60 feet, be, and the same is hereby vacated as a public street, and the use thereof and the right of the public therein as a public way is hereby relinquished and abandoned.

Passed Oct. 17, 1881.

HENRY WILLIAMS, Mayor.

J. M. JACOBS, City Clerk.

Recorded as Ordinance No. 116.

ORDINANCE NO. XXXII.

VACATING ALLEY IN LOT 8 IN BLOCK 54 SECOND WARD, ETC.

Be it Ordained by the Common Council of the City of Kenosha :

SECTION 1. That the alley running east and west over, across and along the north side of lot 8 in block 54 in the second ward of the City of Kenosha, Wisconsin,

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sin, be, and the same is hereby vacated and all the right, title and interest of the City of Kenosha therein and thereto, is hereby relinquished, and that a strip of land 12 feet wide over, across and along the south side of said lot 8 be, and the same is hereby declared a public alley.

Passed Sept. 19, 1881.

HENRY WILLIAMS, Mayor.

J. M. JACOBS, City Clerk.

Recorded as Ordinance No. 117.

ORDINANCE NO. XXXIII.

AUTHORIZING THE CONSTRUCTION OF SWITCH BY
BAIN WAGON CO.

*Be it Ordained by the Auditing Board of the City of
Kenosha :*

License to
Bain Wagon
Co.

SECTION 1. That license and authority be and the same are hereby conferred upon the Bain Wagon Company (Limited) to construct, establish and maintain a railroad track on old Main street near the flouring mill of Z. G. Simmons, and also a railroad track across Main street, between Pearl street and Main street bridge at or near grade.

SECTION 2. Also a railroad track over and along Crooked Alley and across Pearl street, west of Main street, the object and purpose of this ordinance being to allow said Wagon Company to construct and maintain a spur or side track from the harbor track of the Chicago and Northwestern Railway into the works of said Wagon Company and to such point or points within said works as may be selected by said Wagon Co.

SECTION 3. This ordinance shall take effect and be in force from and after its passage.

Passed June 21, 1882.

HENRY WILLIAMS, Mayor.

F. W. MATHEWS, City Clerk.

REVISED ORDINANCES.

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ORDINANCE NO. XXXVII.

AN ORDINANCE AS TO GRADING PART OF PEARL STREET.

Be it Ordained by the Common Council of the City of Kenosha :

SECTION I. That authority be and the same is hereby conferred upon Zalmon G. Simmons to grade Pearl street between Main and Lake streets, subject to the following terms and conditions : Such grading shall be done wholly under the direction of Committee on Streets and Alleys, which committee shall be reasonably notified before the work is commenced. The said Simmons shall lay and gravel that portion of said street so graded and shall place the same in such condition that it shall be approved by said Committee on Streets and Alleys. The work aforesaid shall be speedily completed and shall be without cost to the city in any event.

Authority to
grade Main
and Lake
streets.

Passed July 17, 1876.

J. V. QUARLES, Mayor.

F. W. BECKMAN, City Clerk.

Recorded as Ordinance No. 89.

ORDINANCE NO. XXXIX.

VACATING CERTAIN PORTIONS OF MAIN STREET.

Be it Ordained by the Common Council of the City of Kenosha :

That all that part of Main street north of the present bridge and south and east of a line commencing on the south line of Grand street in block No. ninety-two (92) thirty-two and one-half feet ($32\frac{1}{2}$) east of the west line of Main street ; thence south twelve and one-half degrees ($12\frac{1}{2}^{\circ}$) ; west ninety-eight feet (98) to the west line of said Main street be and the same is hereby vacated.

Be it ordained that all the lanes and alleys in block ninety-two (92) in the 4th ward of the city of Kenosha, except that portion of lane No. 1 in said block lying

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west of the west line of lot No. six (6) in said block be and the same is hereby vacated.

Passed and Approved April 4th, 1879.

A. FARR, Mayor.

DANIEL B. BENEDICT, Clerk.

Recorded as Ordinance No. 102.

ORDINANCE NO. XL.

RELATING TO TELEPHONES.

Be it Ordained by the Auditing Board of the City of Kenosha :

License.

SECTION 1. That the Wisconsin Telephone Company and its successors and assigns be and they are hereby granted the right of way through, in and upon the streets, sidewalks, alleys and public grounds of the city of Kenosha, in the County of Kenosha and State of Wisconsin, for the use and purposes of therein and thereon to erect, maintain and use all the necessary poles or posts of wood, iron or other suitable material and the necessary wires successfully to operate and use a system of telephones or a telephone exchange in the city of Kenosha, Wisconsin, aforesaid. *Provided*, That the said Wisconsin Telephone Company and its successors and assigns shall maintain and use under proper and reasonable restrictions and rules an office and operator on lines of telephone wires at some convenient point in said city, and shall so set said poles or posts and place the wires thereon in such places and in such manner as not to interfere with travel on said streets, sidewalks, alleys and public grounds aforesaid, and shall put and keep in order all those parts of the same interfered with or used in the erection of said poles or posts, and shall hereafter so maintain the same in like good order.

Proviso.

Poles. How
to set.

SECTION 2. Said poles shall be so set as not to interfere with the flow of water in any gutter or drain in said city, and the points of location shall be determined

under the direction of the street commissioner.

SECTION 3. The said Auditing Board expressly reserves the right to grant the right of way through, in and upon said streets, sidewalks, alleys and public grounds for the erection, maintenance and use of the necessary poles or posts and wires of any telephone company or individuals whenever requested, the same not to interfere with proper and successful use of the rights hereby granted to said Wisconsin Telephone Company and its successors and assigns.

Right reserved to license other companies, etc.

SECTION 4. The Auditing Board shall enact such ordinances as may become necessary for the protection of telephone poles, fixtures and wires against abuse and injury.

Board to pass ordinances to protect poles etc.

Passed September 4th, 1882.

HENRY WILLIAMS, Mayor.

F. W. MATHEWS, City Clerk.

ORDINANCE NO. XLI.

PROVIDING NAMES FOR CERTAIN STREETS AND CHANGING NAMES OF OTHERS.

Be it Ordained by the Auditing Board of the City of Kenosha:

SECTION 1. That the street running from the southwest corner of block 36 in the second ward east to Water street be known as Howe street; that the street running from the southwest corner of block 42 in the second ward east to Water street be known as Garfield street; that the street running from the southwest corner of block 46 in the second ward east to Water street be known as Linden street; that the street running west from the southeast corner of block one (1) in Jenne's addition be known as Jenne street; that the street running east from Maiden Lane between South and Town Line streets, be known as Grogan street; that the street running from Chicago street east to Park Avenue, south

Providing names for certain streets, etc.

CITY OF KENOSHA.

of block 57, 'first ward, be known as Park Place ; that Maple street, which is a continuation of Second street, in the first ward, be known as Second street ; that Linden street, which is a continuation of Third street in the first and fourth wards, be known as 'Third street.

SECTION 2. This ordinance shall take effect and be in force from and after its passage.

Passed October 23d, 1882.

HENRY WILLIAMS, Mayor.

F. W. MATHEWS, City Clerk.

ORDINANCE NO. XLII.

RELATING TO PARK CITY WATER CO.

Be it Ordained by the Common Council or Auditing Board of the City of Kenosha :

That Ordinance No. 105 of the city of Kenosha, entitled "An Ordinance relating to Park City Water Company," and passed August 12th, 1879, be amended so as to read as follows ;

Granting
authority to
Park City
Water Com-
pany to con-
struct wells,
etc.

SECTION 1. That leave and authority is hereby granted to Park City Water Company, its successors and assigns, to sink and construct an Artesian well or wells at any point in the highway or public grounds within the City of Kenosha, and to construct around said well or wells such a building as is necessary to protect the same, and the location of said well or wells shall be sanctioned by the Committee on Streets and Alleys of the Common Council or Auditing Board of said city, and to employ and use such machinery used in constructing, boring or drilling an Artesian well, and all machinery used in constructing well or wells to be immediately removed as soon as each well is completed. Also leave to excavate and lay necessary waste drains, and to lay, repair and maintain mains and water pipes from said well or wells in any of the streets, alleys or public grounds of the City of Kenosha, Wisconsin, and to make the neces-

SECTION 2. The Park City Water Company shall have and enjoy the powers and authority conferred in the first section of this ordinance perpetually; and no such franchise shall be granted by the City of Kenosha to any other company, firm or individual for a period of twenty years from the passage and publication of Ordinance No. 105, upon consideration that the Park City Water Company will furnish water to the City of Kenosha, and the City of Kenosha agreeing to use the same for fire purposes and at said Company's fire hydrants at a rate not to exceed the present contract.

SECTION 3. The privileges granted by this ordinance shall apply to and be operative only as to that part of the City of Kenosha, Wisconsin, south of south bank of Pike Creek in said city. Restricted to south side

HENRY WILLIAMS, Mayor.

Published March 29th, 1883.

OF STREET SUPERVISORS AND THEIR DUTIES.

SECTION 1. Before the first Monday in May of each year, the City Council shall appoint one or more Street Supervisors, not exceeding one for each ward of said

city, whose duty it shall be to enforce the performance of labor, or the payment of moneys in the several wards as provided in section 5, chapter 6, of the city charter ; and under the advice of the aldermen of their respective wards, to direct the time, manner, and place in which such labor or money shall be applied, and said supervisors shall give bonds for the faithful discharge of such duties.

Shall make
listed polls.

Shall give
notice.

When may
sue for and
collect.

When shall
make report

SECTION 2. Each Supervisor immediately upon his appointment shall make out and keep a list of the names of all such persons as are subject to highway work in the ward under his charge, and shall give two days notice to all such persons, either personally or by a written or printed notice left at the usual place of abode of any such person, of the time when and the place where he may appear either in person or by a substitute, and perform the labor required ; and in case any such person so notified shall fail to appear and to perform said labor, or to pay said supervisor in lieu thereof the sum of two dollars, said supervisor may then, or at any time thereafter, sue and collect such money of said person in accordance with the provisions of the City Charter in such case, together with the costs of suit ; and in default of the payment of such sum and costs by any such person so sued, such person may be imprisoned in the county jail for a time not less than two days nor more than ten days, in the discretion of the justice.

SECTION 3. Every Street Supervisor shall render to the Common Council a report in writing, at the first regular meeting of the Council, in each of the months of August and November, containing a statement of the amount of street taxes collected in his ward, and the names of the persons from whom the same was collected in labor and those paid in money, also the manner in which such taxes have been disbursed. Every such Street Supervisor shall also at the first regular meeting of the Common Council in the month of March in each year, render to said Common Council a report in writ-

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ing, verified by his affidavit taken before the Mayor or some Justice of the Peace of said city, showing :

1st. The name of every person in his ward liable to pay street tax or highway tax, and against whom such was charged by him.

2d. The amount of tax collected from such persons, stating whether paid in labor, money or otherwise.

3d. The number of days actually employed by the said Street Supervisor in superintending the expenditure of the taxes on the highways by him collected.

4th. The amount of tax collected and retained by said Street Supervisor for his services.

5th. The amount of money, if any, accruing from street taxes remaining in the hands of said Street Supervisor.

SECTION 4. If any money shall be remaining in the hands of the said Street Supervisor at the time of his making the report prescribed in the preceding section, he shall immediately pay over the same into the city treasury. Shall pay over to treasurer surplus moneys.

SECTION 5. Each Supervisor shall be allowed such sum for every day actually and necessarily employed by him in the discharge of the duties required of him by this ordinance, as may be determined by the Common Council. Compensation of Supervisors.

SECTION 6. It shall be the duty of the several Street Supervisors to cause at least two-thirds of the Street taxes in their respective wards to be collected and expended, agreeably to the provisions of this ordinance, before the first day of August in each year, and the residue thereof, before the first day of November in each such year. Limit of time for collecting and expending street tax.

SECTION 7. If any Street Supervisor shall neglect or refuse properly to perform any of the duties enjoined upon him by this ordinance, the Common Council, upon satisfactory evidence thereof, may remove such Street Supervisor from office, and appoint another in his place ; and if any such Street Supervisor shall refuse to pay Provision for removal of supervisors.

CITY OF KENOSHA.

over any moneys which may be in his hands accruing from street taxes, at the time of his removal from office, or if any Street Supervisor shall neglect or refuse to pay over any moneys in his hands, at any time when required by the provisions of this ordinance, it shall be the duty of the City Treasurer forthwith to sue for the same in the name of the city of Kenosha.

Suit to be
commenced
when money
not paid
over.

Passed March 20, 1858.

GEO. H. PAUL, Mayor.

H. T. WEST, City Clerk.

Recorded as Ordinance No. 5.

Sec. 2 is Sec. 2 of said ordinance as amended by Ordinance No. 39 passed June 21, 1858. Published June 24, 1858.

ORDINANCE NO. XLIV.

AN ORDINANCE RESTRAINING AND REGULATING THE
SALE OF SPIRITUOUS LIQUORS.

*Be it Ordained by the Common Council of the City of
Kenosha :*

Licenses,
when and
how may be
granted.

SECTION 1. License to sell spirituous, vinous, or fermented liquors, as well as transfers of such licenses, may be granted at any time to any person or persons applying for the same at the discretion of the Common Council, upon such persons executing a bond with at least two sureties to be approved by the Council in the penal sum of (\$300) three hundred dollars, conditioned that the party so licensed shall faithfully observe and keep all ordinances of the city now in force, or which shall be passed during the period of such license for the regulation and control of the traffic in said liquors ; all such licenses and transfers to be signed by the mayor and countersigned by the clerk ; and to be delivered to the applicant on the production of a certificate from the City Treasurer that the full amount charged for such license has been paid. *Provided*, That all licenses hereafter granted shall terminate on the first Monday in May of each year.

Provided.

SECTION 2. Any license or transfer of license so granted, may be revoked by the Common Council when-
When li-
 cense may
 be revoked.
 ever it shall satisfactorily appear that the party so li-
 censed shall have violated any provision of any ordi-
 nance of the Common Council relating to spirituous li-
 quors or any condition of the bond aforesaid and all
 persons licensed under this or any other ordinance or
 rule of said city relating to the sale of said liquors shall
 immediately cause to be and remain posted upon some
License to
 be posted in
 bar, etc.
 conspicuous part of the room or bar kept or used for
 such purpose, his, her, or their license. Any person so
 licensed who shall not cause such license to be and re-
 main posted as aforesaid, or who not being so licensed
 shall cause or permit any paper or thing purporting to be
 a license, to be and remain posted as aforesaid, shall on
Penalty.
 conviction be fined not less than five nor more than
 twenty dollars.

SECTION 3. The necessary bonds, licenses, and trans-
Clerk to
 make out
 papers.
 fers of the same, shall be made by the City Clerk, who
 shall be entitled to demand and receive from the appli-
 cant in full for all services connected with each license
 the sum of one dollar.

SECTION 4. The clerk shall keep a license register in
Clerk to
 keep regis-
 ter of date,
 etc.
 which shall be entered the names of all persons now or
 hereafter to be licensed ; the place of business ; the date
 of the license ; and the time when the same shall expire
 in each case ; together with the sums received therefor ;
 and shall make a quarterly report of the same to the
 Council. All licenses shall be dated of the day when the
 same were severally granted ; and no person shall be
 deemed to be duly licensed to whom a license has not
 been actually issued or transferred and posted as afore-
 said.

SECTION 5. All persons to whom license to sell spir-
Public vend-
 ing of li-
 quors on
 Sunday by
 license pro-
 hibited.
 ituous, vinous, or fermented liquors has heretofore been,
 or to whom such license shall hereafter be granted, are
 hereby prohibited from opening his, her, or their bar, or
 place for the sale of such liquors, with intent to sell, give

CITY OF KENOSHA.

away or in any manner deal in, and from selling, giving away or in any manner dealing in, by himself, servant, or any other person, any spirituous, vinous, or mixed, fermented or intoxicating liquors on the first day of the week called Sunday ; and from gaming with or without betting by means of cards, dominoes, or any other device on that day ; and every such person or persons having such license, shall, if found guilty of violating any of the provisions of this section, forfeit his, her, or their said license, and be subject to a fine of ten dollars, and in default of the payment of such fine shall be imprisoned in the county jail for a period not exceeding thirty days nor less than ten days.

Gaming also prohibited.

Penalty.

Penalty for selling without license.

Proviso.

Repealing clause.

SECTION 6. Any person who shall hereafter have or keep any tavern, grocery, ordinary, victualling or other house or place within the city for the selling, giving away, or in any manner dealing in any vinous, spirituous, ardent, intoxicating, or fermented liquors, or who by himself, his agent or servant, shall sell, give away, or in any manner deal in any such liquors without a license in pursuance of the provisions of this ordinance, shall upon conviction thereof be subject to a fine of not less than ten dollars nor more than one hundred dollars, *Provided*, that druggists, or persons whose chief business is to sell drugs and medicines, shall not be subject to the provisions of this ordinance in selling liquors for purposes purely medicinal, mechanical or sacramental ; and in all cases of conviction the court or magistrate shall have power in its discretion to sentence the offender to the county jail for a period not exceeding sixty days.

SECTION 7. All ordinances, rules and regulations of the Common Council conflicting with the provisions of this ordinance are hereby repealed.

GEORGE H. PAUL, Mayor.

H. T. WEST, City Clerk.

Passed May 17, 1858.

Published May 20, 1858.

Recorded as Ordinance No. 13.

ORDINANCE NO. XLV.

AN ORDINANCE RELATING TO HARBOR MASTER.

Be it Ordained by the Common Council of the City of Kenosha :

SECTION 1. The Common Council may once in each ^{Term of office.} year or oftener, appoint a harbor master, who shall hold his office for the term of one year, and until his successor is appointed, unless sooner removed by the Council.

SECTION 2. The harbor master is hereby authorized ^{Powers and duties of harbor master.} and required to give such orders and directions, relative to the location, change of place or station, manner of moving in or use of the harbor of every vessel, craft or float, lying, moving or laid up in the harbor within the city of Kenosha, as may be necessary to promote good order therein and the safety and equal convenience of such vessels, crafts or floats; and any owner, master or other person having charge of the same who shall refuse ^{Penalty.} or neglect to obey any such order or direction shall be punished by a fine of not less than five nor more than twenty-five dollars and the costs of prosecution, or by imprisonment in the county jail not less than five nor more than thirty days.

Passed December 8th, 1883.

O. S. NEWELL, Mayor.

F. W. MATHEWS, City Clerk.

ORDINANCE NO. XLVI.

RELATING TO CITY CEMETERY.

Be it Ordained by the Common Council of the City of Kenosha :

SECTION 1. That all that part of section six (6) town ^{Cemetery described.} one (1), north of range twenty-three east, described as follows: Beginning on the west line of the highway called Park Avenue in the city of Kenosha on the east half of the northeast quarter of said section six at a point where the marsh land south of Jerome creek terminates,

CITY OF KENOSHA.

as now marked by the cemetery fence; thence westerly following the line of said marsh upon the line of said fence as now built until it strikes the east line of the highway known as Ann street; thence following Ann street southerly on that line of the cemetery fence and the curve of that fence as it tends southeasterly, and again southwardly and southwesterly to the south line of the cemetery grounds and about forty rods south of the east and west line dividing section six aforesaid; thence eastwardly on said south line of cemetery to the west line of the highway leading south from Park avenue; thence following the west line of said highway northwardly to the place of beginning, and as particularly marked and described upon the map and plat of the consolidated city cemetery made by S. Y. Brande upon a survey of John M. Jones, county surveyor, and adopted by the council of said city on the 21st day of February, A. D. 1870, is hereby declared to be the Kenosha city cemetery, to be used as a place for the burial of the dead, and said maps and survey is hereby adopted by the council

Price of lots
and blocks,
how fixed.

SECTION 2. The prices of all lots and blocks in said cemetery applied for, or likely to be wanted, shall be fixed by the common council from time to time, and a schedule of such prices be furnished by the city clerk to the sexton; said clerk shall enter the price so fixed in pencil, opposite the appropriate block in the cemetery record, which shall remain subject to modification from time to time as the council shall determine, and any person may become a purchaser of any such lot or block at the price or prices affixed.

Who may
purchase lot
etc.

Blocks set
apart for
free burial
ground.

SECTION 3. The blocks in the northwest division of said cemetery, from No. 95 to No. 101 inclusive, heretofore set apart as a free burial ground, shall so remain, and the common council shall provide other suitable grounds from time to time as wanted for such purpose, and such grounds when so set apart shall be certified by the clerk to the sexton, and it shall be the duty of

each of such officers to mark such grounds so set apart, upon the map or record, which they are respectively required to keep.

SECTION 4. A copy of the said map shall be kept in the office of the city clerk, and upon the application of any person, it shall be the duty of the clerk to make out deeds of such lots and blocks as may be purchased from time to time, and have them executed by the Mayor, and countersigned by said Clerk in due form; and upon payment to the Treasurer of such purchase price, to record it in the books provided for that purpose, the name of the grantor and grantee in any such deed, the date thereof, the price paid, and any other fact material to make a perfect record.

Copy of map to be kept in office of city clerk.

Record, how kept.

SECTION 5. Such Clerk shall further, at the end of each and every quarter, and upon return to the Council by the City Sexton, as hereinafter provided, record in such book or books, and opposite to the proper blocks, the record of interments made in each and every lot in said cemetery, the free grounds included; and as reported to the Council by the Sexton, and all the material facts required by the headings in said book, and shall make a report of such sales or interment as often as required.

Clerk to keep record of interment etc.

SECTION 6. The City Treasurer shall under the head of cemetery account, keep a record of the name of the grantee and of the number of the lot and block and division in which the same is situated in any deed which may be delivered by him on payment to him of the purchase price as fixed by the Council, and shall report the sums so received by him, as often as may be required.

Duties of city treasurer.

SECTION 7. The Common Council shall annually appoint a city sexton, who shall hold his office during the pleasure of the Council, and until his successor shall signify his readiness to discharge the duties of said office upon appointment by the Council.

Common Council to appoint city sexton.

SECTION 8. It shall be the duty of the city sexton to take general charge of the cemetery, to keep the walks,

Duties of city sexton.

grounds and avenues thereof in order and free from obstruction, and take care of the trees and fences thereon.

When to cause removal of bodies to free ground. Under the direction of the committee on public grounds or the proper cemetery committee, he shall cause all bodies which have been or hereafter may be, interred

without permission in any unsold lot of the city, or in any lot the property of another, without the owner's consent, to be removed to the free ground ; he shall keep a

To keep copy of plot cemetery, etc. copy of the plot of the cemetery, upon which all lots sold, and all lots for sale may be seen, and a schedule of

prices to be furnished him by the City Clerk ; he shall attend to the burial of bodies of all deceased persons when application shall be made to him for that purpose, by persons holding or owning lots in said cemetery, which have been paid for and upon the free ground upon the

To keep record of interments. written permission of the Mayor ; he shall keep a record of all interments, made in any part of said cemetery, in

the book furnished by the city for that purpose, and according to the forms, and under the separate and several headings therein contained ; he shall at the end of each quarter, that is to say, at the first regular meeting of the

When to present abstract to council. Council, in the month of January, April, July and October of each year, present to the Council an abstract of

all such interments for the previous three months, signed by him, and at the close of his term of office shall hand over to his successor all such maps, books and papers belonging to the city as shall be in his possession ; he shall

To enforce cemetery ordinances. see that all ordinances of the city relating to the cemetery are strictly enforced ; he shall be subject to the di-

When subject to orders of chairman of public grounds. rection of the chairman of the committee on public grounds or the proper cemetery committee, as the case may be, in all matters connected with the care of the

walks, grounds, fences, structures, trees or shrubbery or other equipment of the cemetery, and for the purpose of such enforcement, he is hereby declared to be a police officer, with full power as such, to arrest any person violating any such ordinance or regulation.

Fees. SECTION 9. The city sexton is hereby permitted to

charge the sum of two dollars for the burial of each person in said cemetery: *Provided*, he shall bury without charge, the bodies of all deceased persons, the expenses of which would otherwise have to be paid by the city, and said sexton shall receive such other compensation for general services as the Common Council may determine.

SECTION 10. In no case shall the sexton permit interments to be made in any lot or block in said cemetery, unless he shall be satisfied that the person applying for such interment, is the owner or acting for and in behalf of the owner or proprietor of a lot, lots or block originally purchased of the town of Southport, (of whom the city of Kenosha is the successor), the city of Kenosha, or Josiah Bond, their or other of their successors or assignees; or shall present at the time of such application, a written permit from the Mayor, authorizing specifically, interments in the free burial grounds; and in case the sexton shall know that any such lot or block claimed by any such person is the property of the city, the same not having been paid for, it shall be his duty to refuse interment in such lot or block until the sum fixed has been duly paid to the treasurer, and the receipt of that officer exhibited to him.

When to permit interment in cemetery.

When sexton to refuse interment.

SECTION 11. If the city sexton or any other person, shall bury or attempt to bury, any dead body in any unsold lot, or in any lot belonging to another, without due authority for so doing, or if any person shall resist the city sexton in the execution of any duty, or refuse or neglect to obey his lawful direction of any duty, or shall injure, deface or destroy any tree, shrub, stone, slate, post, fence, monument, vault or other fixture, building or thing of value or ornament in the cemetery, or trespass on any grave in the cemetery, he or they shall severally be subject to a fine of not less than ten dollars, nor exceeding five hundred dollars, and in default of the payment thereof, may be imprisoned for such time as the justice of the peace, by whom such fine is imposed, shall determine.

Penalty.

Prices of lots
blocks, etc.

SECTION 12. The prices of lots, blocks or halves of blocks, in said cemetery, are hereby fixed as follows :

13, 15, 17, 24, 25, 27, 29, 35, 37, 39, 41, 43, 44, 45, 52, 53, 54, 56, 58, 60, 67, 69, 71, 73, 86, 88, 90, 92, and 94, at twenty-five dollars for each block ; each half block in said blocks at fourteen dollars ; each single lot in said blocks at eight dollars ; all lots remaining unsold in blocks 46, 51, and 84, at eight dollars each ; blocks 8 and 10 at thirty dollars each, and lots 1 and 2 in said blocks 8 and 10 at ten dollars each, lots 3 and 4 respectively in said blocks 8 and 10 at eight dollars each, if sold separately, but if sold in half blocks, the north half of each block at sixteen dollars, and the south half of each block at fourteen dollars ; block 64 at thirty dollars, and the south half of block 49 at nine dollars.

SECTION 13. All ordinances inconsistent with or repugnant to this ordinance are hereby repealed.

Passed December 8, 1883.

O. S. NEWELL, Mayor.

F. W. MATHEWS, City Clerk.

ORDINANCE NO. XLVII.

AN ORDINANCE CONCERNING THE FIRE DEPARTMENT.

Be it Ordained by the Common Council of the City of Kenosha :

Fire department to consist of.

SECTION 1. The fire department of the city of Kenosha shall consist of a chief engineer, three assistant engineers, one fire warden for each ward in said city, and such other officers, engine men, hose men, and hook and ladder men as may be appointed by the Common Council.

Case of fire, who to control.

SECTION 2. The chief engineer, and in his absence the assistant engineers, according to rank, shall in all cases of fire have absolute control over all the members of the fire department.

Duties of chief engineer.

SECTION 3. It shall be the duty of the chief engineer

on or before the first Monday in November in each year to report to the Common Council the condition of the engines, hooks, ladders, buckets and other fire apparatus and the buildings in which they are kept, and also to recommend such additions, alterations and improvements to the same as he may deem expedient, and he shall report to the Council the names of all persons who shall have been elected members of the different companies.

It shall also be his duty to take charge of the fire engines and all other property and apparatus belonging to the fire department when not in active service, and keep the same at all times in good condition for immediate use. And it shall be his further duty, as often as once every month, to report to the Common Council all debts contracted for apparatus of said fire department and for all labor necessarily performed by others than himself for repairing said engines and said apparatus. For such services he shall be paid the sum of fifty dollars per year, to be paid in equal installments at the end of each and every quarter.

To have charge of property when no fire.

When to report to council.

How paid.*

SECTION 4. The firemen shall be divided into companies organized and known as hose, and hook and ladder companies.

Division of companies.

SECTION 5. The several companies of said fire department shall be known, numbered and classified as follows: No. 1, Rescue Hook and Ladder Company; No. 1, Star Hose Company; No. 2, Steamer Hose Company; No. 3, Independent Hose Company; No. 4, Active Hose Company; No. 5, Gem Hose Company. Each of said companies shall consist of not to exceed sixteen active members.

Names and numbers of companies.

SECTION 6. Each of said companies respectively may adopt such constitution, by-laws and regulations for their government subordinate to the ordinances of the city as they may deem best calculated to accomplish the objects hereby contemplated and each of said companies shall at such time as it shall determine in each year choose from among their own members a foreman, a first and

Each company to adopt constitution, etc.

To choose foreman, etc.

second assistant foreman, a clerk and such other officers as they may require in accordance with their respective constitutions or by-laws and in the manner provided therein.

Duties of
fire companies.

SECTION 7. The different fire companies under the control and direction of their proper officers shall, upon an alarm of fire, repair to the place of the fire with the engine and other fire apparatus under their care, and there work and manage the same under the direction of the chief engineer and his assistants, and in case of their absence, place and work their engines and other fire apparatus in the most effectual manner until the fire shall be extinguished, and shall not remove therefrom but by permission from an engineer, if any shall be present, and on such permission they shall return their engines and fire apparatus, well washed and cleansed, to their respective places of deposit. If any company shall, without permission of an engineer as above, leave any fire with their engine or fire apparatus, the officer in command of such company shall forfeit and pay not less than three nor more than twenty-five dollars for each and every such offence.

Penalty.

Place where
engine, etc.,
to be kept.

SECTION 8. The said engine and other fire apparatus shall be kept in such places respectively as the Common Council shall provide and designate, and the several companies having charge of them shall keep the same in the best possible order for immediate use.

Meetings.

SECTION 9. For the more effectually perfecting the firemen in their duties and preserving the organization of the fire department, and keeping the engines and other apparatus in good order, the said companies shall hold meetings at such times and places as the chief engineer or a majority of the members of said companies may determine.

General re-
view, when
held.

SECTION 10. There shall be a general review of the fire department, engines and other apparatus, by the Mayor and Aldermen once in each year, on such day and at such place as the chief engineer shall appoint ; and

at the time and place so appointed, it shall be the duty of all persons belonging to any division of the fire department to appear fully equipped, together with their respective engines and other fire apparatus. Any member of the fire department failing to so appear, having received due notice, shall forfeit and pay for the benefit of the company to which he belongs, not less than one nor more than five dollars.

SECTION 11. Whenever any member of any company of the fire department shall be justly indebted to said company, in pursuance of the constitution, by-laws or regulations of the same, the said constitution, by-laws or regulations having first been submitted to and approved by the Common Council, it shall be lawful for said company to sue for and receive from such member, on his refusal or neglect to pay, whatever sum may be so due, by action of debt in the name of the city, for the use of said company, before any court having jurisdiction.

Indebted-
ness of mem-
bers, how
collected.

SECTION 12. The acting chief engineer shall have the power in his discretion to grant permission to any fire company to go with their respective engines and other fire apparatus beyond the limits of the city, to be absent such length of time as he may direct. Any officer in command of any company who shall suffer or permit the engine or other apparatus in charge of said company to be taken beyond the limits of the city without such permission, shall forfeit and pay for every such offence a penalty of not less than five nor more than twenty-five dollars, besides being liable for all damages.

When com-
may leave
city.

Penalty for
leaving city
without per-
mission.

SECTION 13. It shall be the duty of the fire wardens, at least twice in each year, one of which times shall be in the month of November, and as much oftener as they may deem necessary, between sunrise and sunset, to visit each store, dwelling, factory, shop, outhouse, barn or lot, in their respective wards, and examine into the condition of all fire-places, chimneys, stove-pipes, or other apparatus which in their opinion may be dangerous in causing or producing fires, and all places where gunpowder,

Duties of
fire wardens

ashes, hay, straw, hemp, flax, or other combustible materials may be placed or stored, and such wardens may respectively give such directions as they may deem necessary, to the owner or occupant or agent of said property, for their better security or removal. And in case the owner, occupant or agent shall neglect or refuse to comply with the directions of said fire wardens, for twenty-four hours after receiving said directions, the person

Penalty for
disobeying
directions of
wardens.

or persons so offending, shall forfeit and pay for every such neglect or refusal the sum of ten dollars, and for every twenty-four hours thereafter, the further sum of five dollars, together with all expenses incurred by the corporation in carrying into effect the directions of the fire wardens, which sums shall be a lien on the property so secured, and may be charged against the real estate and collected as a tax upon the same, or may be recovered by the city for the use of said corporation in an action for the same against either the owner or occupant of said real estate.

Combustible
chattels.

And in case of personal property, the city marshal shall, upon the directions of the fire wardens, after the expiration of twenty-four hours, after giving notice for the removal of any combustible material hereinbefore mentioned, proceed to remove such material, and when so removed at the expense of said corporation, said fire wardens shall have power to sell at public sale said personal property for the payment of such expenses, penalties and cost of sale, by giving five days notice of the time and place thereof, returning the residue of said moneys received on such sale, to the owner or agent of said property.

Reports
foremen.

SECTION 14. It shall be the duty of the foreman of every fire company, annually at such time as said engineer may designate, to make to the chief engineer a complete return of the name of each member of his company, under the penalty of five dollars.

Stoves, how
secured.

SECTION 15. All persons using a stove, shall have a piece of sheet iron, tin, zinc or other material, as security

against fire, placed underneath such stove, and shall have the partition through which any stove pipe shall pass secured from fire by earthen, stone or such other funnels as the wardens may in each case direct, under a penalty of five dollars for each offence against the provisions of this section.

SECTION 16. The firemen of this city shall be exempt from poll tax. Exemption from poll tax.

SECTION 17. It shall be lawful for the chief engineer, his assistants, the mayor and any member of the Common Council, to order any able bodied male person present at any fire, when necessary, to help the firemen work their engines, ladders, hooks or other fire apparatus; and if any person being so ordered shall neglect or refuse to obey any such order, he shall upon conviction thereof, be fined ten dollars, to be sued for and recovered as other penalties are under the city ordinances, and when so recovered shall be paid to the treasurer of the fire department of the city of Kenosha for the benefit of said department, and in default of the payment of any such fine the person liable to pay the same shall be imprisoned in the county jail for the term of five days. Bystanders may be required to help at fires. Penalty for refusal.

SECTION 18. When a person belonging to any of said companies shall cease to be an active member thereof or shall disobey any order or command of the foreman or officer in charge thereof, it shall be the duty of the officer in command to report such member to the chief of said fire department. Whenever any member of any such company shall have been reported for disobedience to the chief of said fire department, as provided in this section, said chief may impose upon such member a fine of not more than five dollars, or order that such member be expelled from said company and discharged from the service as fireman. Such fine shall be paid to the treasurer of the company to which such member belongs. Penalty on firemen for disobedience of orders.

SECTION 19. It shall be the duty of the several companies to practice at all times when ordered so to do by the chief of said fire department. Companies to practice.

Allowance
to compan-
ies.

SECTION 20. Each of the aforementioned companies shall be annually allowed the sum of twenty dollars, which sum shall be annually appropriated by the auditing board or Common Council of said city for the support and maintenance of such company.

Repealing
clause.

SECTION 21. All ordinances or parts of ordinances or rules or regulations conflicting with this ordinance or inconsistent therewith are hereby repealed.

Passed December 8, 1883.

O. S. NEWELL, Mayor.

F. W. MATHEWS, City Clerk.

ORDINANCE NO. XLVIII.

RELATING TO BOARD OF HEALTH.

Be it Ordained by the Common Council of the City of Kenosha :

Board, how
constituted.

SECTION 1. The mayor and aldermen of the city of Kenosha, shall constitute a board of health, and the mayor shall be ex-officio presiding officer when present, and the city clerk shall be clerk of said board.

Duties and
powers.

SECTION 2. It shall be the duty of the board of health, and of each member thereof, to investigate and ascertain all causes tending to create disease, and to take such steps as he or they may deem necessary for the removal of such causes, and for this purpose each member of the board within the ward where he resides, shall have the power to direct the removal or purification of all filthy or nauseous places or substances producing disagreeable smell, or tending to produce disease, in case the owners or occupants of premises on which such places or substances may be shall not remove or purify the same within twenty-four hours after being directed so to do, any member of the board of health shall have power to remove or purify all causes as aforesaid, and any person so refusing or neglecting to remove or purify the causes aforesaid, when so directed by a mem-

Penalty for
disregarding
orders of
board.

ber of the board of health, shall for each and every offence forfeit and pay a penalty of not more than twenty-five dollars, nor less than five dollars and costs of prosecution.

SECTION 3. Whenever any infectious or contagious disease shall break out or be found to infest the city, it shall be the duty of said board to provide a hospital or place for the reception of all persons affected with such disease and remove them to such hospital without delay, (such as can be moved,) and to provide all necessary comforts and medical and other aid for the inmates of the hospital as they may deem necessary, *Provided however*; That in case any person shall be sent to said hospital who is not in indigent circumstances, such person shall pay to the city all expenses which may have been incurred in their behalf, including pay to physicians, nurses, and expenses of every kind. Hospital for infectious diseases.

SECTION 4. If any person shall knowingly bring, or cause to be brought into this city, any person who shall at the time be infected with small-pox, or other contagious or infectious disease, such person shall pay a fine of fifty dollars and costs of prosecution, and in default of the payment thereof, be imprisoned in the county jail for sixty days; and if any person infected by any such disease, or who shall reside within a house within the limits of this city, where any person within such house is infected with any such disease, shall leave said house except by permission of the city physician and alderman of the ward wherein he resides, such person shall forfeit and pay a fine of not less than five dollars, nor more than fifty dollars and costs of prosecution, and in default of the payment thereof be imprisoned in the county jail not less than ten days. Penalty for bringing infection into city.

SECTION 5. Every person practicing physic or medicine in this city, who shall have a patient laboring under infectious, contagious or pestilential disease known as cholera, yellow fever or small-pox, shall forthwith make report thereof in writing to the city clerk giving the Physicians to report cases of infection.

locality of the house or place where the said patient may be located ; and for neglecting so to do shall be liable to a fine of fifty dollars and costs of prosecution.

Clerk to put up sign.

SECTION 6. It shall be the duty of the city clerk immediately on receiving the notice set forth in section 5, to give notice thereof in writing to chief of police of the city, whose duty it shall be to immediately post in a conspicuous place on or near said premises, a sign or notice with the name of the disease in letters sufficiently large to be plainly read at a distance of two rods.

Penalty for placing offensive matter in street.

SECTION 7. If any person shall throw, place or conduct, or suffer any one under his control, or in his employ, to throw, place or conduct into any street, alley, public ground, or lot, any filth, offal, animal or vegetable matter, or any offensive matter whatever or anything likely to become offensive matter ; or shall allow any such filth, offal, or other offensive matter, to remain in his stable, outhouse, yard or any inclosure on his premises or the premises by him occupied, in such manner as to be offensive to the neighborhood of such premises, every such person shall be fined in the sum of three dollars, and in default of the payment thereof shall be imprisoned in the county jail three days.

Gutters, etc. to be cleaned.

SECTION 8. Whenever any gutter, ditch, or drain in front of any store, shop, or dwelling, barn, or any other building whatever, or on the lot to which any such building is attached or belongs, shall become filled with stagnant water, or obstructed by any filth, offal or putrid substance of any kind, it shall be the duty of any member of the board of health, any alderman, or the city marshal, to order the owner, occupant or agent of such premises, to remove or abate such nuisance, and if any such owner, occupant or agent of such premises shall neglect or refuse to remove or abate such nuisance, after twenty-four hours notice from any one of the aforesaid officers, he shall forfeit and pay a fine of ten dollars.

Expenses, how recovered.

SECTION 9. Whenever any expense shall be incurred in the removal or abatement of any nuisances or causes

of diseases, according to the provisions of this ordinance, shall be recovered, together with all costs of suit, from the persons in each case liable to remove or abate the same according to the provisions of this ordinance.

Passed December 10, 1883.

O. S. NEWELL, Mayor.

F. W. MATHEWS, City Clerk.

ORDINANCE NO XLIX.

OF THE CLOSING OF SALOONS AT NIGHT.

Be it Ordained by the Common Council of the City of Kenosha:

SECTION 1. All keepers of saloons, shops, or other places of any name whatsoever for the sale of strong, spirituous or malt liquors to be drunk on the premises, are hereby required to close or cause to be closed their respective saloons, shops or places of business at or before the hour of eleven P. M., and to keep the same closed until the hour of five o'clock in the morning. Saloons to be closed at 11 p. m.

SECTION 2. Any keeper of a saloon or other place for the sale of strong, spirituous or malt liquors who shall violate the provisions of section one of this ordinance shall upon conviction forfeit and pay a fine of not less than twenty-five dollars nor more than fifty dollars and the costs of prosecution, and in default of payment shall be imprisoned in the county jail not less than than ten days nor more than twenty days, and shall forfeit his license. Penalty.

SECTION 3. No person shall on Sunday keep open for use, or use, or permit to be used for playing, by any other person, any ball-alley or billiard room in the city of Kenosha, under a penalty of not less than ten dollars nor more than fifteen dollars, together with the costs of prosecution, and any person who shall be convicted of violating any of the provisions of this section, shall, in default of the payment of the said penalty and costs, be Saloons, etc. to be closed on Sunday. Penalty.

CITY OF KENOSHA.

imprisoned in the county jail not less than ten nor more than twenty days.

Penalty for
dances, etc.,
on Sunday.

SECTION 4. Any person who shall permit any house, building, yard, garden, or field in the city of Kenosha, that is owned or occupied by him, or under his control, to be used or occupied on Sunday by any person or persons for the purpose of holding any dance, dancing assembly or musical entertainment in the open air, shall, on conviction thereof forfeit and pay for each offence a penalty not exceeding fifty dollars nor less than twenty-five dollars, together with the cost of prosecution, and in default of payment thereof shall be imprisoned in the county jail not less than twenty-five days and not more than fifty days. And any person who shall engage in, aid, assist, or in any manner help to conduct or carry on any dances, dancing assembly, or musical entertainment in the open air, on the day commonly called Sunday, shall on conviction thereof forfeit and pay a penalty not exceeding fifty dollars nor less than twenty-five dollars, together with the costs of prosecution, and in default of payment shall be imprisoned in the county jail twenty-five days.

Passed December 8th, 1883.

O. S. NEWELL, Mayor.

F. W. MATHEWS, City Clerk.

ORDINANCE NO. L.

TO PREVENT THE KILLING OF BIRDS.

Be it Ordained by the Common Council of the City of Kenosha :

Birds not to
be killed.

SECTION 1. That the killing of birds by firearms, bows and arrows, or in any other manner, within the city of Kenosha, is hereby prohibited. Every person who shall hereafter kill or wound, or attempt to kill or wound, by firearms, bow and arrow, pelting with stones, or otherwise any bird within the city limits, (such bird so killed or attempted to be killed or wounded, not being the

Penalty.

property of the person so offending,) shall forfeit and pay to the city, for every bird so killed or wounded, and for every such attempt to kill or wound, not less than one nor more than ten dollars.

SECTION 2. Every person who shall enter upon any private enclosure or public ground belonging to the city, for the purpose of doing any act prohibited in the preceding section, and every person who shall shoot an arrow, throw a stone, club, or other missile at any bird within any private grounds, or public parks, squares or grounds, shall forfeit and pay to the city not less than three nor more than ten dollars for each offence.

SECTION 3. Every person who shall be convicted a second time of any offence or penalty hereinbefore mentioned, may, in the discretion of the mayor, be sentenced to the county jail for not less than one nor more than five days.

Passed December 8, 1883.

O. S. NEWELL, Mayor.

F. W. MATHEWS, City Clerk.

ORDINANCE NO. LI.

AN ORDINANCE IN RELATION TO DOGS.

Be it Ordained by the Common Council of the City of Kenosha :

SECTION 1. That no dog, bitch or whelp shall be allowed or permitted to run at large within the limits of said city, between the first days of June and October of each and every year ; and every owner or keeper of any dog, bitch or whelp, who shall permit the same to run or be at large, contrary to the provisions of this section, shall pay a penalty of five dollars for each offence ; and the informer thereof shall be entitled to one-half of said

Dogs not to run at large from June to October, unless muzzled, etc.

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penalty, when collected ; *Provided*, That nothing in this ordinance shall authorize the destruction of any dog, bitch or whelp, found running at large, if such dog, bitch or whelp shall be securely muzzled with a wire muzzle, to be fastened on with a leather strap or chain ; nor shall a suit be commenced against the owner of any such dog found running at large securely muzzled as aforesaid.

Mayor may by proclamation prohibit dogs from running at large at any time. SECTION 2. It shall and may be lawful for the Mayor of the city of Kenosha to publish his proclamation forbidding the running at large of any dog, bitch or whelp within the limits of said city, at any period of the year, whenever in his opinion the public safety is in danger, or that there are mad or rabid dogs within or near said city unless such dog, bitch or whelp is securely muzzled, as provided in this ordinance ; and the Mayor is hereby authorized and empowered to employ as many persons and at such pay as he may think proper to carry into effect the provisions of this section. It shall and may be lawful for the City Marshal, and for such other person or persons as may be authorized by the Mayor to kill and destroy, or cause to be killed or destroyed, any dog, bitch or whelp which may be found running at large contrary to the provisions herein contained. And it is hereby made the duty of the marshal and the entire police force of the city, upon notice from the Mayor, to proceed forthwith to destroy all dogs found so running at large. And any person who shall molest, interrupt, hinder or prevent the City Marshal, or any person authorized by the Mayor as aforesaid, or either of them, in the discharge of the duty herein prescribed, shall forfeit and pay a penalty of twenty-five dollars for each offence.

Dogs at large may be killed.

Passed December 8th, 1883.

O. S. NEWELL, Mayor.

F. W. MATHEWS, City Clerk.

ORDINANCE NO LII.

TO REGULATE THE SALE OF HAY AND WOOD.

Be it Ordained by the Common Council of the City of Kenosha :

SECTION 1. That Market Square in the first ward of the city of Kenosha is hereby declared to be and made a public stand for the sale of hay and wood.

Market Square made hay and wood market.

SECTION 2. No person shall be allowed to expose for sale any hay, or wood or load of hay or wood except in the place designated in the first section of this ordinance.

Hay, etc., not to be exposed for sale elsewhere.

SECTION 3. No person shall offer for sale within the limits of the city of Kenosha, any hay loaded upon a wagon, sled or vehicle of any kind without first having obtained a written ticket or certificate of the weight or quantity of hay upon such wagon, sled or other vehicle from the owner or attendant of some established and sealed hay scale within the city limits aforesaid, which ticket shall be signed by the owner of such scale.

Hay to be weighed.

SECTION 4. Any person offering hay for sale shall exhibit his ticket of the weight of the same to the purchaser thereof before being entitled to receive pay therefor, under the penalty hereinafter provided.

Weigh ticket to be exhibited.

SECTION 5. Any person or persons who shall offer for sale any wood or hay contrary to the provisions of the preceding sections of this ordinance, shall forfeit and pay for each and every offence the sum of one dollar, together with the costs of prosecution.

Penalty.

SECTION 6. The attendant upon hay scales shall be entitled to receive for weighing each load of hay fifteen cents, and for weighing wagons ten cents, to be paid by the person to whom the ticket for such weight shall be delivered.

Price for weighing.

SECTION 7. In case of the non-payment of any of the fines imposed by this ordinance, the offender shall be imprisoned one day for each dollar of fine.

Imprisonment on default of payment of fine.

Passed December 8th, 1883.

O. S. NEWELL, Mayor.

F. W. MATHEWS, City Clerk.

CITY OF KENOSHA.
ORDINANCE NO. LIII.

TO REGULATE OMNIBUS DRIVERS, RUNNERS, ETC.

*Be it Ordained by the Common Council of the City of
Kenosha :*

Hack driv-
ers, etc., to
be licensed.

SECTION 1. That it shall be unlawful for any person to act as runner or solicitor for passengers for boats, railroads, public houses or other establishments within the limits of said city, or to act as hack driver, omnibus driver, or cab driver for the carriage of passengers for hire to or from any railroad station or boat landing within said city, without having first obtained a license therefor from the Common Council of said city.

Penalty.

SECTION 2. Any person violating any of the provisions of section one of this ordinance shall, upon conviction thereof forfeit and pay a fine of not less than five nor more than twenty-five dollars and the costs of prosecution, and in default of payment thereof shall be imprisoned in the county jail of Kenosha county not to exceed thirty days.

Drivers etc.
on R. R.
grounds etc.
subject to
control of
station ag't.

SECTION 3. Every such runner, solicitor, hack driver, omnibus driver and cab driver while engaged in such employment upon premises belonging to or under the control of any railroad or steamboat company within said city, shall be under the direction and subject to the orders of the station agent or other person then in charge of such premises, both in regard to the place to be occupied by himself and his horse or horses and vehicles, and in regard to his individual conduct.

When and
how license
revoked.

SECTION 4. Whenever any such runner, solicitor, hack driver, omnibus driver or cab driver shall, while engaged as specified in section three of this ordinance, disobey any reasonable direction or order of the station master or other person then in charge of the premises in said section mentioned, his said license shall be revoked by the Common Council of said city. Before any such license shall be revoked, such runner, solicitor or driver shall be entitled to at least forty-eight hours notice of

the application for such revocation, and shall be entitled to be heard before said Common Council. Such notice may be verbally given by the City Marshal or by any of the aldermen of said city. No such license shall be revoked except upon a written complaint filed with the city clerk, a copy of which complaint shall be served upon the person whose license is sought to be revoked, at the time the above notice is given to such person.

Passed December 8th, 1883.

O. S. NEWELL, Mayor.

F. W. MATHEWS, City Clerk.

ORDINANCE NO. LIV.

RELATIVE TO REMOVING SNOW AND ICE.

Be it Ordained by the Common Council of the City of Kenosha :

SECTION 1. That the occupant of every building, tenement or premises fronting upon any sidewalk regularly laid out within the limits of said city, and the owner of every unoccupied building or premises fronting on any such sidewalk shall keep the sidewalk in front of his premises reasonably free and clear of snow and ice and shall after and during every snow fall, clear the snow off such sidewalk before ten o'clock in the forenoon of each day, and every person failing or neglecting to comply with either of the provisions of this section shall forfeit and pay a fine of not less than one dollar, nor more than five dollars, with the costs of prosecution. Sidewalks to be cleared of snow. Penalty.

SECTION 2. It shall be the duty of the street supervisors in their respective wards, and of the city marshal of said city to see that the provisions of this ordinance are enforced. Officers to enforce ordinance.

CITY OF KENOSHA.

Repealing
clause. SECTION 3. All ordinances and parts of ordinances
conflicting with this ordinance are hereby repealed.

Passed December 8, 1883.

O. S. NEWELL, Mayor.

F. W. MATHEWS, City Clerk.

ORDINANCE NO. LV.

AN ORDINANCE RELATING TO SIDEWALKS.

*Be it Ordained by the Common Council of the City of
Kenosha :*

Expense of
laying side-
walk to be
levied. SECTION 1. Whenever any street supervisor of this
city shall have made return to the clerk of the expenses
of laying any sidewalk, it shall be the duty of the clerk
to lay such return before the Common Council, and the
Council shall thereupon proceed to levy a tax for the ex-
pense of such improvement, as provided in the city
charter.

Sidewalks,
how repair-
ed. SECTION 2. Whenever any sidewalk in said city shall
become broken or out of repair, it shall be the duty of
the street supervisor of the ward in which such sidewalk
is located, to serve a notice upon the owner, occupant or
agent of the lot or lots in front of which or part of which
said sidewalk runs, if they can be found in the city, di-
recting him to repair such sidewalk within forty-eight
hours from the time of serving such notice: and if any
such owner or occupant, as aforesaid shall fail to comply
with the direction of said supervisor to repair said side-
walk, said owner or occupant shall be fined in the sum
of five dollars; and it shall be the duty of the said su-
pervisor, upon the failure of any such owner or occupant
to repair such sidewalk, to proceed forthwith and repair
the same, and keep an accurate account of the expense
of such repair in front of each lot, and shall make return
to the Common Council of such expense, verified by his

affidavit; and the said Common Council shall direct said expense to be levied and collected on such lots in the same manner as is provided in the city charter for levying and collecting expenses for building sidewalks.

SECTION 3. Every street in the city of four rod in width, which shall be hereafter graded and improved, shall be graded so as to have a space on each side thereof of twelve feet for sidewalks. Every street of three rods in width shall be graded so as to have a space upon each side thereof eight feet in width for sidewalks.

Passed December 8. 1883.

O. S. NEWELL. Mayor.

F. W. MATHEWS, City Clerk.

ORDINANCE NO. LVI.

IN RELATION TO VENDING FROM STANDS.

Be it Ordained by the Common Council of the City of Kenosha :

SECTION 1. That it shall be unlawful for any person or persons not residents of this city to vend from any stand within the city limits, any article or articles without first having obtained a license to do the same, and if any person shall offend against the provisions of this section, he shall pay for each offense a sum not less than ten nor more than twenty-five dollars and costs of prosecution, to be recovered on complaint before any court having competent jurisdiction, and in default of payment such person or persons shall be imprisoned in the county jail not less than ten nor more than twenty-five days.

SECTION 2. It shall be the duty of the Mayor to grant the license herein provided for, and he shall in his discretion fix the sum to be paid for the same.

SECTION 3. No license shall be issued until the per-

Space to be
left for side-
walks

License re-
quired for
vending
from stands.

Penalty.

Mayor to
grant license

License, how
to issue.

CITY OF KENOSHA.

son applying for the same shall present the Marshal's receipt for the amount fixed by the Mayor, and the Clerk shall preserve said receipt and make an entry thereof.

Term of license.

SECTION 4. Every license granted in pursuance of this ordinance shall specify the time of its duration and shall be of no validity after the expiration of such time, and no such license shall be assignable for the benefit of any other person.

Passed December 8th, 1883.

O. S. NEWELL, Mayor.

F. W. MATHEWS, City Clerk.

ORDINANCE NO. LVII.

RELATING TO FASTENING HORSES, ETC., IN THE STREET.

Be it Ordained by the Common Council of the City of Kenosha:

Horses to be hitched.

SECTION 1. No person shall leave any horse or horses, mule or mules, attached to any carriage, wagon, sleigh or other vehicle, in any street or alley of this city, without securely fastening such animal or animals, under a penalty for each offense of five dollars.

Not to be hitched to shade trees, etc.

SECTION 2. No person shall hitch or fasten any horse, horses or other animals to any shade or ornamental tree, or any lamp post, on any of the streets or public grounds within this city, under a penalty for each offense of five dollars.

Penalty.

SECTION 3. In case any person convicted of violating the provisions of either of the foregoing sections, shall neglect or refuse to pay the penalty adjudged against him he shall be confined in the county jail not exceeding five days on each conviction.

Passed December 8th, 1883.

O. S. NEWELL, Mayor.

F. W. MATHEWS, City Clerk.

ORDINANCE NO. LIX.

TO PREVENT JUMPING UPON SLEIGHS, ETC.

Be it Ordained by the Common Council of the City of Kenosha :

SECTION 1. It shall hereafter be unlawful for any person within the limits of the city of Kenosha, to jump upon, cling to, or lie upon any sleigh, sled, bobsled or cutter, while the same is in motion, without the express consent of the person having such sleigh, sled, bob-sled or cutter under his or her charge. ^{Jumping on sleighs, etc., prohibited.}

SECTION 2. Any person violating the provisions of the first section of this ordinance shall upon conviction thereof be punished by fine not exceeding ten dollars together with costs of prosecution and shall be committed to the common jail of Kenosha county until such fine and costs are paid. ^{Penalty.}

Passed December 8th, 1883.

O. S. NEWELL, Mayor.

F. W. MATHEWS, City Clerk.

ORDINANCE NO LX.

TO RESTRAIN SCHOOL CHILDREN FROM LEAVING THEIR PLAY GROUNDS.

Be it Ordained by the Common Council of the City of Kenosha :

SECTION 1. That it shall be unlawful for any scholar of any of the public schools of the city of Kenosha, to leave or depart from the play ground attached to his or her school during school hours, except by permission of the teacher having charge of such scholar. ^{Scholars not to leave play ground.}

SECTION 2. It shall be unlawful for the children of the schools of the city of Kenosha or other persons, to pelt or throw snow balls or any other missile at persons or teams that pass or travel the streets of the city of Kenosha. ^{Not to throw snowballs.}

CITY OF KENOSHA.

Penalty.

SECTION 3. Any person who shall violate the provisions of the foregoing ordinance shall upon conviction thereof pay a fine of not less than fifty cents nor more than three dollars and costs, and in default of the payment thereof be imprisoned in the county jail for not less than one day nor more than five days.

Passed December 8, 1883.

O. S. NEWELL, Mayor.

F. W. MATHEWS, City Clerk.

ORDINANCE NO. LXI.

RELATING TO THE PROTECTION OF THE PUBLIC PARKS.

Be it Ordained by the Common Council of the City of Kenosha :

Driving in
park prohib-
ited.

SECTION 1. That it shall be unlawful for any person or persons to enter upon any of the public parks of the city of Kenosha with any horse or horses, vehicle or vehicles of any kind, and all persons are hereby prohibited from entering such parks as aforesaid.

Penalty.

Any person who shall violate any of the provisions of this ordinance shall forfeit and pay a fine of not exceeding ten dollars and the cost of prosecution, and in default of payment thereof shall be imprisoned in the county jail of Kenosha county not less than one nor more than ten days.

Passed December 8, 1883.

O. S. NEWELL, Mayor.

F. W. MATHEWS, City Clerk.

ORDINANCE NO. LXII.

RELATING TO LICENSING AUCTIONEERS.

Be it Ordained by the Common Council of the City of Kenosha :

Sales by auc-
tion.

SECTION 1. There shall be paid into the city treasury

for the use of the city of Kenosha upon all sales by auction of goods, wares or merchandise, two per cent. on the amount of said sales; *Provided*, that nothing herein shall extend to any sale by auction of any goods, wares or merchandise or other personal property made by virtue of a chattel mortgage or rule, order, decree, or judgment of any court, or made by virtue of any law respecting the collection of taxes or to any auction of property belonging to the United States or this State, or made by or in behalf of any executor or administrator or made in consequence of any general assignment of property or effects for the benefit of creditors; *Provided further*, that nothing in this section contained shall prohibit or affect in any manner sales at auction of articles specified in Sec. 1585 of the Revised Statutes of 1878 of this state and in the amendments thereto, which articles are therein exempted from said tax. Provisc.
Articles ex-empt.

SECTION 2. No person shall hereafter act as auctioneer or sell or exhibit for sale at public auction or vendue within the city of Kenosha any goods, wares or merchandise not excepted by section one of this ordinance unless such person shall have a written license therefor from the Mayor; *Provided*, that when license is granted by the Mayor under the provisions of this section to transient, traveling or non-resident person or persons, such person or persons shall pay to the city treasurer the two per cent. mentioned therein at the close of each and every day's sale; *Provided further*, that the Mayor is authorized to grant license to transient, traveling or non-resident persons for a sum of not less than five dollars nor more than one hundred dollars, which sum must in all cases be paid into the city treasury before such license shall be issued by the Mayor. Any person violating any of the provisions of this section, shall forfeit and pay to the city for each and every offense the sum of thirty dollars and costs of suit, and in default of the payment thereof be imprisoned in the county jail thirty days. Auctioneers license.
To whom granted.

CITY OF KENOSHA.

Mayor to li-
cense.

SECTION 3. The Mayor is authorized to license any person residing in the city of Kenosha, to act as auctioneer; *Provided*, that the person desiring to be licensed shall first pay to the city treasurer for the use of the city such a sum as the Mayor shall direct for such license of not less than five nor more than one hundred dollars, and at the same time shall execute to the city of

Person to
execute
bond.

Kenosha a bond in the penal sum of five hundred dollars with two sureties to be approved by the Common Council conditioned that the person so licensed shall pay the tax or duty imposed by the ordinance and comply with its provisions.

Persons li-
censed to
render ac-
count to
treasurer.

SECTION 4. Every person licensed under the provisions of section three of this ordinance shall on the first Monday of each month render under oath to the city treasurer a true and full account of all goods, wares or merchandise liable to pay duties by this ordinance, sold by him during the preceding month or subsequent to the last statement, and shall at the same time pay over to the city treasurer the amount of such duty or tax. Any person violating the provisions of this section shall forfeit and pay to the city for each and every offense the sum of twenty-five dollars and in default of the payment thereof be imprisoned in the county jail twenty days.

Term of li-
cense.

SECTION 5. No license shall be granted under section 3 of this ordinance for a longer period than one year.

Who forbid-
den to buy
property.

SECTION 6. In all cases where the auctioneer or owner of the property sold or any person employed by them or either of them shall bid off any property at such sale at auction, it shall be subject to the same tax or duty as though any other person had become such purchaser.

Inspection
of sale book.

SECTION 7. The sale book of any auctioneer shall be open to the inspection of the Mayor and City Treasurer, and in case they shall have reason to believe that the monthly statement of such auctioneer is untrue or incorrect, it shall be the duty of the City Treasurer by and

REVISED ORDINANCES.

133

with the consent of the Mayor, to charge such auctioneer such sum as the Mayor and Treasurer shall deem just and proper, and they shall immediately proceed to enforce the collection thereof in the name of the city of Kenosha, against such auctioneer and his sureties.

Passed December 8th, 1883.

O. S. NEWELL, Mayor.

F. W. MATHEWS, City Clerk.

ORDINANCE NO. LXIII.

AN ORDINANCE FOR THE PRESERVATION OF GOOD ORDER ON PUBLIC STREETS AND GROUNDS.

Be it Ordained by the Common Council of the City of Kenosha :

SECTION 1. That it shall be unlawful for any number of persons to assemble upon any sidewalk, bridge, street, alley or public way in the city of Kenosha, in such manner as to tend to hinder or impede free travel thereon, or hinder or impede free egress or ingress to or from any place of business, public hall, church or other building, and any of the persons so assembled, who shall refuse or neglect to move away, depart or give free passage, after being requested so to do by the City Marshal or any police officer, member of the Common Council, bridge tender of said city, or by the owner, occupant or manager of any such place of business, hall or church, obstructed as aforesaid, shall forfeit and pay a fine of not less than one dollar nor more than ten dollars, with the costs of prosecution, and in default of payment thereof shall be imprisoned in the county jail of Kenosha county not to exceed thirty days. Unlawful assemblages

SECTION 2. That every person who shall, while tarrying or walking upon any of the streets, sidewalks or public ways in said city of Kenosha, or at any entrance Obstructing walks, etc.

to any place of business, meeting house, hall, or church, wrongfully hinder or impede the passage of any person, or who shall by rude, obscene, vulgar, indecent or threatening language, or by any indecent act, gesture or noise, molest, annoy, insult or put in fear any person passing or attempting to pass upon such sidewalk or way, street or entrance, shall forfeit and pay a fine of not less than one nor more than twenty dollars and costs of prosecution, and in default of payment of the same, shall be imprisoned in said county jail not exceeding sixty days.

Penalty for
begging
without per-
mission from
mayor.

SECTION 3. That no person shall within said city of Kenosha place himself upon any sidewalk or public street for the purpose of begging or receiving alms, or go about said city from place to place begging alms, without the written permission of the Mayor of said city. Any person violating the provisions or any of them, of this section, shall upon conviction thereof, forfeit and pay a fine of not less than one dollar nor more than five dollars and costs of prosecution, and in default of payment thereof shall be imprisoned in said county jail not more than ten days.

Passed November 19th, A. D. 1883.

O. S. NEWELL, Mayor.

F. W. MATHEWS, City Clerk.

November 22d, 1883, ordinance No. 63 was published.

December 13th, 1883, ordinances Nos. 49, 50, 51, 52, and 46 were published.

December 20th, 1883, ordinances Nos. 60, 61, 45, 56, and 47 were published.

December 27th, 1883, ordinances Nos. 48, 62, 55, 57, 53, 54, and 59 were published.

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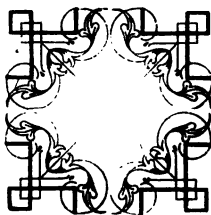
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STATE OF WISCONSIN, }
COUNTY OF KENOSHA, } ss.
CITY OF KENOSHA. }

We, the Mayor and City Clerk of the city of Kenosha, do hereby certify that the within and foregoing printed copy of the charter and ordinances of the city of Kenosha were printed and published by the authority and under the direction of the Common Council of the city of Kenosha and under the supervision of the undersigned who were appointed a committee by said Council to supervise the printing and publication of the same.

O. S. NEWELL, {
F. W. MATHEWS, { Committee.

